DRAFT
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Art Gaitan's Mexico Café Development Plan
Planning Application No. PA14-0155

LEAD AGENCY:
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1.0 INTRODUCTION

Following preliminary review of the proposed Art Gaitan's Mexico Café Development Plan Project, Planning Application No. PA14-0155 (project), the City of Temecula (City) has determined that the project is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA). This Initial Study has been prepared to address potential impacts associated with the project, as described below. This Initial Study addresses the potential direct, indirect, and cumulative environmental effects associated with implementation of the proposed project.

1.1 STATUTORY AUTHORITY AND REQUIREMENTS

In accordance with CEQA (Public Resources Code Sections 21000–21177) and pursuant to Section 15063 of the California Code of Regulations (CCR) and the City's Local CEQA Guidelines, the City, acting in the capacity of lead agency, is required to undertake the preparation of an Initial Study to determine if the proposed project would have a significant environmental impact. If the City finds that there is no evidence that the project, either as proposed or as modified to include the mitigation measures identified in this Initial Study, may cause a significant effect on the environment, the City shall find that the proposed project would not have a significant effect on the environment and shall prepare a Negative Declaration or Mitigated Negative Declaration for the project. Such determination can be made only if "there is no substantial evidence in light of the whole record before the lead agency" that such impacts may occur (Public Resources Code Section 21080(c)).

This document has been prepared to provide an environmental basis for subsequent discretionary actions for the project, to inform the City prior to taking action on the project, and to provide responsible agencies, trustee agencies, other affected agencies, and the general public with information regarding the project and its potential environmental effects. As discussed further in Section 2.5, *Agreements, Permits, and Approvals*, the discretionary actions anticipated to be required for the project by the City are the adoption of a Mitigated Negative Declaration and the approval of a Development Plan and Conditional Use Permit to allow for a Type 47 ABC license (on-sale general beer/wine/distilled spirits). It is also anticipated that the project will require various ministerial approvals, including issuance of a building permit, grading plan, and approval of utility service connections.

The following environmental documentation and supporting analysis is subject to a 30-day public review period.[1] During this review, comments on the document relative to environmental issues should be addressed to the City of Temecula. Following review of comments received, the City will consider the comments as part of the project's environmental review process.

1.2 PURPOSE

The purpose of the Initial Study/Mitigated Negative Declaration (IS/MND) is to (1) identify potential environmental impacts; (2) provide the lead agency with information to use as the

[1] Pursuant to CEQA Guidelines section 15073(a), a lead agency must provide a minimum 20-day public review period for an IS/MND. However, when a proposed IS/MND is submitted to the State Clearinghouse for review by state agencies, the public review period is extended to 30 days unless a shorter period is approved by the State Clearinghouse under CEQA Guidelines section 15105(d).

basis for deciding whether to prepare an Environmental Impact Report (EIR) or Negative Declaration (including a Mitigated Negative Declaration); (3) enable an applicant or the lead agency to modify a project, mitigating adverse impacts before an EIR is prepared; (4) facilitate environmental assessment early in the design of the project; (5) provide documentation of the factual basis for the finding in a Negative Declaration that a project would not have a significant environmental effect; (6) eliminate needless EIRs; (7) determine whether a previously prepared EIR could be used for the project; and (8) assist in the preparation of an EIR, if required, by focusing the EIR on the effects determined to be significant, identifying the effects determined not to be significant and explaining the reasons for determining that potentially significant effects would not be significant. As discussed further below, the City has determined that the project will not result in significant environmental impacts with the incorporated mitigation and has circulated this draft IS/MND for public review and comment.

Section 15063 of the CEQA Guidelines identifies specific disclosure requirements for inclusion in an Initial Study. Pursuant to those requirements, an Initial Study shall include (1) a description of the project, including the location of the project; (2) an identification of the environmental setting; (3) an identification of the environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries; (4) a discussion of ways to mitigate significant effects identified, if any; (5) an examination of whether the project is compatible with existing zoning, plans, and other applicable land use controls; and (6) the name of the person or persons who prepared or participated in the preparation of the Initial Study.

1.3 CONSULTATION

As soon as the lead agency has determined that an Initial Study would be required for the project, the lead agency is directed to consult informally with responsible agencies and trustee agencies that are responsible for resources affected by the project, in order to obtain the recommendations of those agencies as to whether an EIR or Negative Declaration should be prepared for the project. In addition, in compliance with CEQA requirements, the City of Temecula provided formal notification to the designated contact(s) and/or tribal representative(s) of traditionally and culturally affiliated California Native American Tribes that have requested notice and conducted AB-52 consultation with the Pechanga Tribe of Luiseno Indians; refer to Section 3.17, *Tribal Cultural Resources*.

1.4 INCORPORATION BY REFERENCE

Pertinent documents relating to this IS/MND have been cited and incorporated, in accordance with Sections 15148 and 15150 of the CEQA Guidelines. The following references were utilized during preparation of this Initial Study and are available for review:

- City of Temecula General Plan, 2005
- City of Temecula General Plan Final Environmental Impact Report, 2005
- City of Temecula City-wide Design Guidelines, 2005
- City of Temecula Development Code
- Western Riverside County Multiple Species Habitat Conservation Plan

2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION AND SETTING

The proposed Art Gaitan's Mexico Café Development Plan Project is located in south Riverside County in Temecula; refer to Exhibit 1, *Regional Vicinity Map*. More specifically, the project is located on a 2.61-acre triangular-shaped parcel located approximately 1,300 feet south of the Temecula Parkway and Pechanga Parkway intersection at APN 961-440-015. Refer to Exhibit 2, *Local Vicinity Map*. Vehicle access would be provided to the project site via Pechanga Parkway.

The project site consists of an existing vacant lot, as the parcel is disturbed due to routine weed abatement activities and construction stockpiling/staging. According to the City of Temecula Development Code (Title 17 of the City's Municipal Code), the project would be located on land zoned as Planned Development Overlay-1 (PDO-1) – Pala Road Planned Overlay District. According to the City of Temecula General Plan, the site is designated as Neighborhood Commercial (NC). Surrounding land uses include Open Space (Temecula Creek) to the north, Residential to the south and west, and a small Neighborhood Commercial center (convenience store and RV storage) to the east. A portion of the project site is also located within Multiple Species Habitat Conservation Plan (MSHCP) Criteria Cell 7445, which is focused on preserving riparian habitat and jurisdictional waters along Pechanga and Temecula Creeks.

2.2 BACKGROUND

Incorporated in 1989, the City of Temecula celebrated its 25th anniversary of incorporation on December 1, 2014. The city is located in southwestern Riverside County and is known as one of the fastest growing cities in California. Currently, the city is home to over 106,000 residents and spans over 37.18 square miles. According to the City of Temecula General Plan, the city was planned in a manner that would preserve and enhance high quality living while preserving the topography of the surrounding area. Temecula is known as the heart of Southern California wine country due to the expansive viticulture-related land uses in the eastern regions of the city.

The proposed project would be the second Mexico Café, as the original Art Gaitan's Mexico Café was opened in the city of San Bernardino in 1951, where it continues to operate to this day.

2.3 PROJECT OBJECTIVES

The project applicant's objective with the proposed project is to construct and operate a restaurant facility known as Art Gaitan's Mexico Café and to pursue infill development opportunities along Pechanga Parkway while protecting the environmental and cultural resources that surround the project site.

2.4 PROJECT CHARACTERISTICS

The project proposes the construction of an approximately 13,375-square-foot restaurant facility located on a disturbed triangular-shaped parcel (APN 961-440-015); refer to Exhibit 3, *Project Site Map* and Exhibit 4, *Project Landscape Plan*. The restaurant building would include an entry/foyer and waiting area, dining room, banquet room with fireplace, conference/meeting room, office, full-service kitchen, bar, restrooms, and two outdoor patios. In addition to the new single-story restaurant building (approximately 35 feet in height at its tallest point), the

proposed project includes a total of 111 parking spaces, including accessible parking spaces and motorcycle parking spaces. The project includes the construction of four water quality basins to infiltrate water on the site in order to reduce peak flows during storm events; refer to Exhibit 4. In addition, the project has been designed to incorporate a six foot wall set back approximately 20 feet from Temecula Creek. A dense row of trees would be planted between the six foot wall Temecula Creek, and lighting features along the northerly boundary of the property line would be designed such that they are shielded downward and avoid spillover to the adjacent Creek. The project site would comprise 13,375 square feet (11.7 percent) of building space, 39,790 square feet (34.9 percent) of landscape, and 52,146 square feet (45.8 percent) of parking. The project would require water, sewer, electrical, gas, and telephone utility connections located within Pechanga Parkway right-of-way prior to operation.

The project involves construction activities associated with grading, paving, construction, and architectural coating applications. Site preparation and construction activities for the proposed project would also require temporary on-site stockpiles, which would be enclosed, covered with tarps, or watered twice daily or treated with nontoxic soil stabilizers in order to minimize dust impacts.

2.5 AGREEMENTS, PERMITS, AND APPROVALS

The following permits are anticipated for the proposed project:

Table 2.5-1: Required Permit Approvals

Agreements, Permits, and Approvals	Granting Agency
IS/MND Approval	City of Temecula
Conditional Use Permit for Type 47 ABC License	City of Temecula
Grading/Building Permit	City of Temecula
Development Plan	City of Temecula
General Construction Permit	San Diego Regional Water Quality Control Board
Habitat Acquisition and Negotiation Strategy	Riverside Conservation Authority

2.6 INITIAL STUDY CHECKLIST

2.6.1 BACKGROUND

1.	**Project Title:** Art Gaitan's Mexico Café Development Plan Project
2.	**Lead Agency Name and Address:** City of Temecula 41000 Main Street Temecula, CA 92590
3.	**Contact Person and Phone Number:** Brandon Rabidou, Assistant Planner (951) 506-5142
4.	**Project Location:** The proposed project is generally located in Temecula approximately 1,300 feet south of the Temecula Parkway and Pechanga Parkway intersection at APN 961-440-015.
5.	**Lead Agency's Name and Address:** City of Temecula 41000 Main Street Temecula, CA 92590
6.	**General Plan Designation:** The General Plan land use designation for the project site is Neighborhood Commercial (NC).
7.	**Zoning:** The project site is zoned Planned Development Overlay-1 (PDO-1) - Pala Road Planned Overlay District.
8.	**Description of the Project:** The project addressed in this IS/MND consists of all actions related to the design and construction of a 13,375-square-foot restaurant named Art Gaitan's Mexico Café on an existing disturbed 2.61-acre vacant lot.
9.	**Surrounding Land Uses and Setting:** The lands surrounding the project site have the following uses: *North:* Open Space (OS) *South:* Low Medium Residential (LM)/Pechanga Parkway *East:* Neighborhood Commercial (NC) *West:* Low Medium Residential (LM)
10.	**Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement).** San Diego Regional Water Quality Control Board (General Construction Permit) Riverside Conservation Authority (Habitat Acquisition and Negotiation Strategy)

2.6.2 EVALUATION OF ENVIRONMENTAL IMPACTS

This section analyzes the potential environmental impacts associated with the proposed project. The issue areas evaluated in this Initial Study include:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Tribal Cultural Resources
- Utilities and Service Systems

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by the State CEQA Guidelines, Appendix G, and is used by the City in its environmental review process. For the preliminary environmental assessment undertaken as part of this Initial Study's preparation, a determination that there is a potential for significant effects indicates the need to more fully analyze the project's impacts and to identify mitigation.

For the evaluation of potential impacts, the questions in the Initial Study Checklist are stated and an answer is provided according to the analysis undertaken as part of the Initial Study. The analysis considers the project's long-term, direct, indirect, and cumulative impacts. To each question, there are four possible responses:

- **No Impact.** The project will not have any measurable environmental impact on the environment.
- **Less Than Significant Impact.** The project will have the potential for impacting the environment, although this impact will be below established thresholds that are considered to be significant.
- **Less Than Significant with Mitigation Incorporated.** The project will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation measures or changes to the project's physical or operational characteristics can reduce these impacts to levels that are less than significant.
- **Potentially Significant Impact**. The project will have impacts which are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels. Where potential impacts are anticipated to be significant, mitigation measures will be required, so that impacts may be avoided or reduced to insignificant levels.

2.6.3 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact," as indicated by the checklist on the following pages.

✓	Aesthetics		Mineral Resources
	Agriculture and Forestry Resources	✓	Noise
✓	Air Quality		Population and Housing
✓	Biological Resources		Public Services
✓	Cultural Resources		Recreation
✓	Geology and Soils	✓	Transportation/Traffic
	Greenhouse Gas Emissions	✓	Tribal Cultural Resources
	Hazards and Hazardous Materials	✓	Utilities and Service Systems
✓	Hydrology and Water Quality	✓	Mandatory Findings of Significance
	Land Use and Planning		

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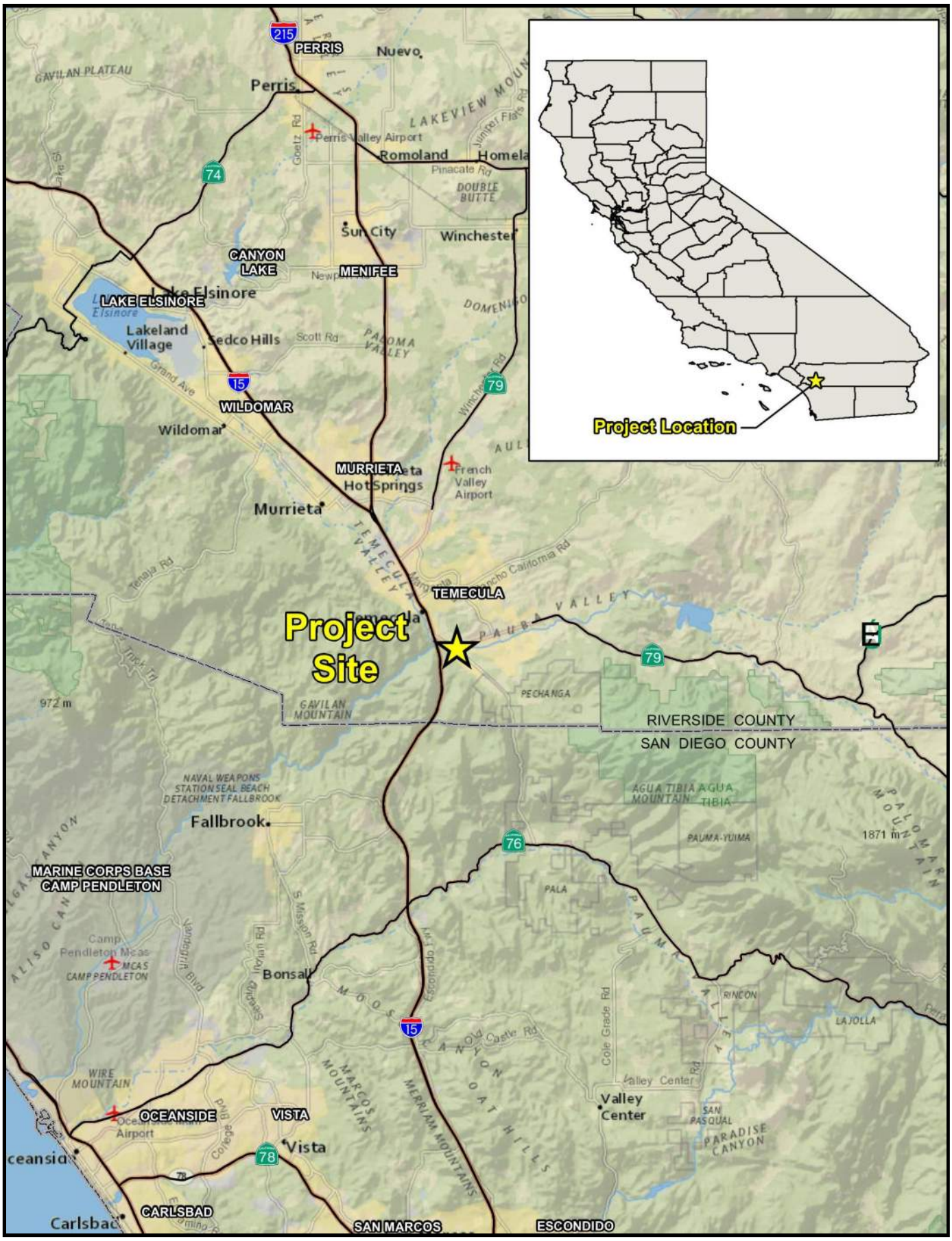

Source: ArcGIS Online

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Art Gaitan's Mexico Café IS/MND

Regional Vicinity Map

Exhibit 1

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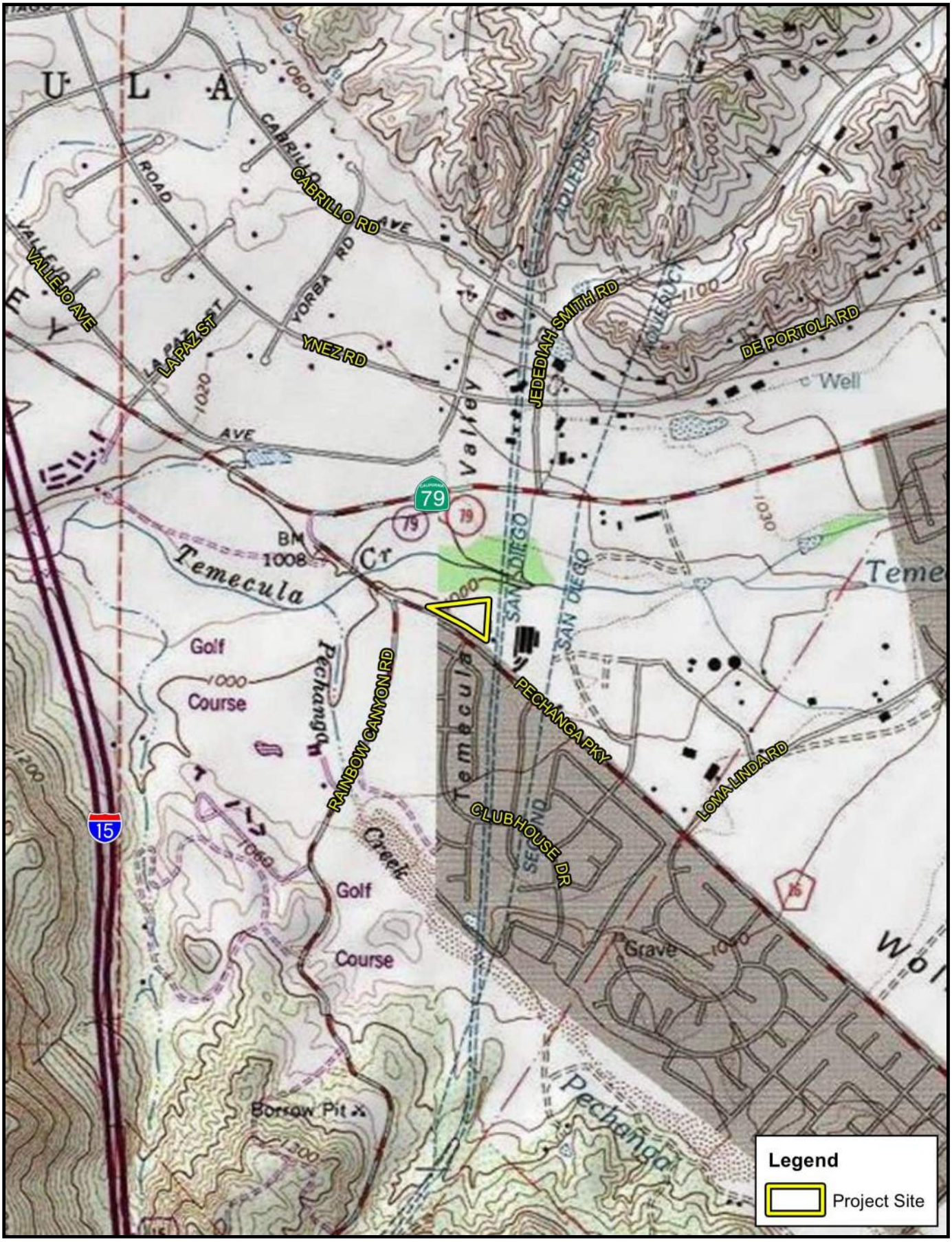

Art Gaitan's Mexico Café IS/MND

Local Vicinity Map

Michael Baker INTERNATIONAL

Source: ArcGIS Online

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Exhibit 2

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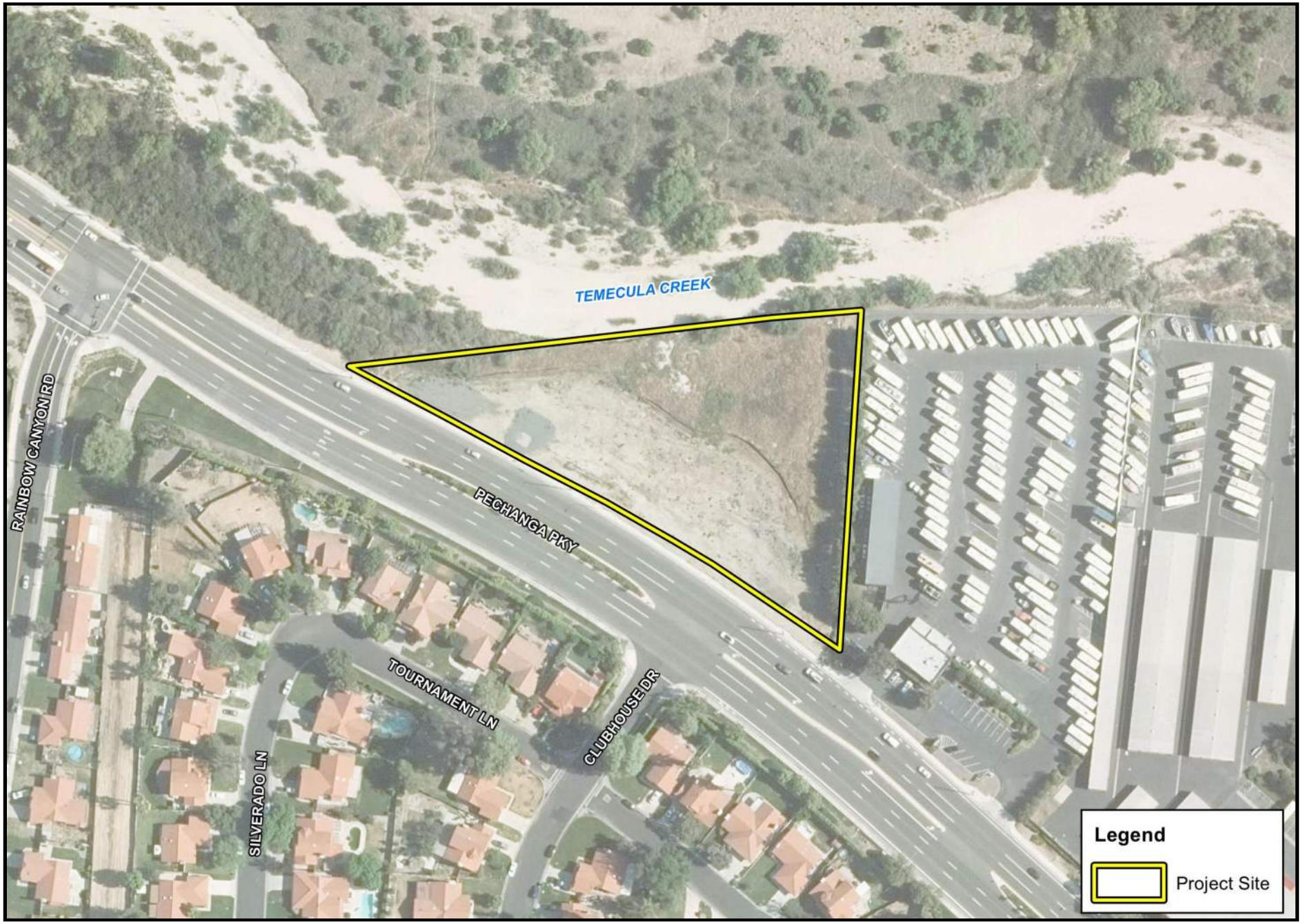

Art Gaitan's Mexico Café IS/MND

Project Site Map

Michael Baker INTERNATIONAL

Source: Eagle Aerial Solutions 2014

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Exhibit 3

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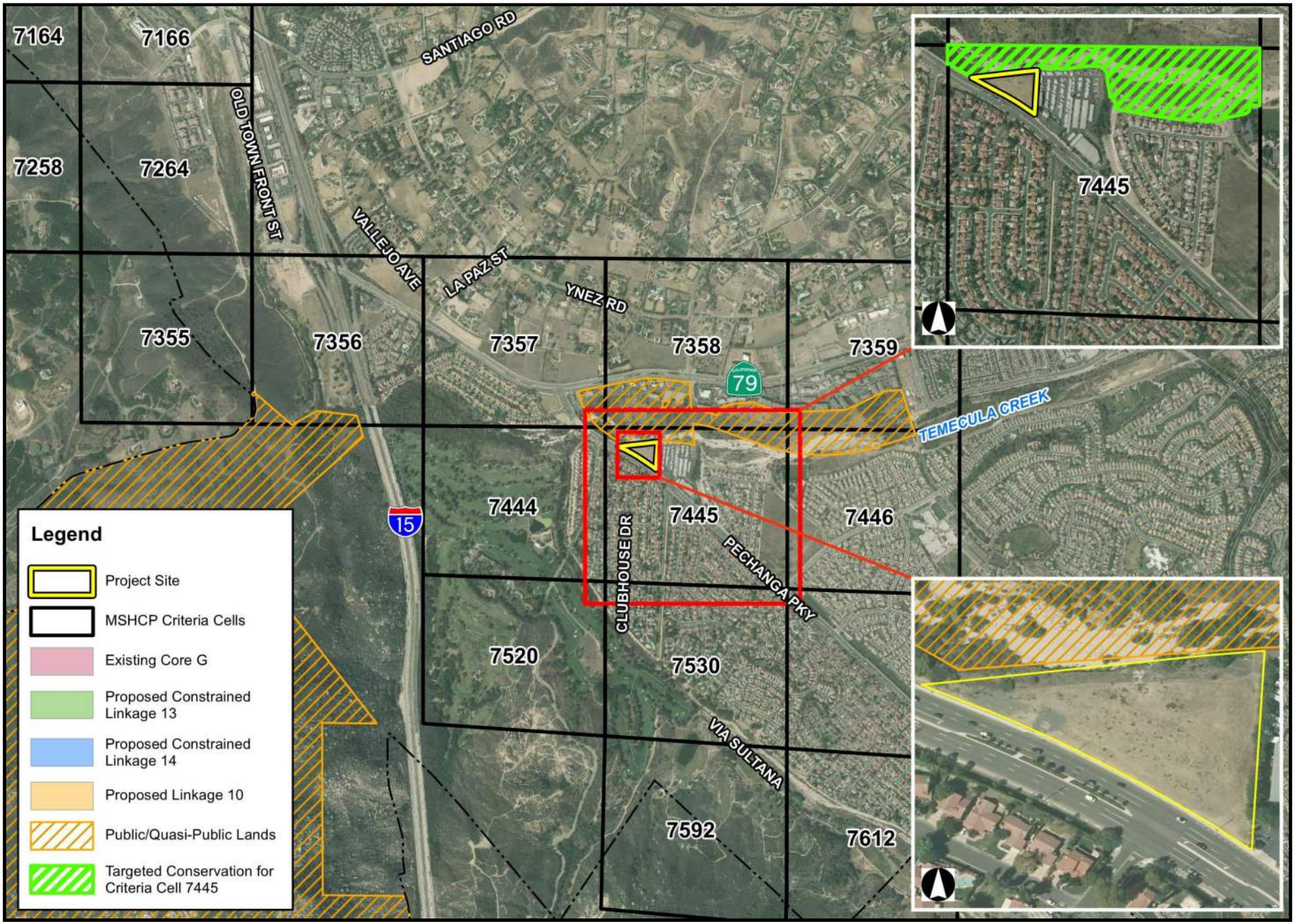

Source: County of Riverside, Eagle Aerial Solutions 2014

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Art Gaitan's Mexico Café IS/MND

MSHCP Conservation Area

Exhibit 5

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3.0 ENVIRONMENTAL ANALYSIS

The following evaluation provides responses to the questions in the CEQA Environmental Checklist. A brief explanation for each question in the checklist is provided to support each impact determination. All responses consider the whole of the action involved, including construction and operational impacts, as well as direct and indirect impacts. Environmental factors potentially affected by the proposed project are presented below and organized according to the checklist format. Evaluation of the following resources was based on a site visit conducted by Michael Baker International on February 18, 2016, and review of preliminary design plans, technical reports, and other sources listed in Section 4.0, *References*, of this analysis.

3.1 AESTHETICS

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
1. AESTHETICS – Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☑	☐	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	☐	☐	☐	☑
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☑	☐	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☑	☐

Would the project:

a) Have a substantial adverse effect on a scenic vista? ***Determination: Less Than Significant with Mitigation Incorporated.***

A scenic vista is generally defined as a view of undisturbed natural lands exhibiting a unique or unusual feature that comprises an important or dominant portion of the viewshed. Scenic vistas may also be represented by a particular distant view that provides visual relief from less attractive views of nearby features. Other designated federal and state lands, as well as local open space or recreational areas, may also offer scenic vistas if they represent a valued aesthetic view within the surrounding landscape of nearby features.

Temecula's natural setting offers a variety of scenic vistas and viewsheds. The City of Temecula General Plan Community Design Element designates the southern, eastern, and western rolling hills surrounding the city, as well as Murrieta and Temecula Creeks, as significant natural features, and indicates that public views of these features should be protected and enhanced. The General Plan explains that all public or private development projects are subject to City review to ensure that they will not obstruct public views of scenic resources, and projects may be subject to redesign or height limitations if it is determined that the project would block public views.

Because the project site is located immediately south of and adjacent to Temecula Creek, a General Plan–designated viewshed, the project has the potential to adversely impact views to the creek and its aesthetic features. Public views toward Temecula Creek are currently available to motorists and pedestrians traveling along Pechanga Parkway. However, the existing views to Temecula Creek from Pechanga Parkway and adjacent land uses are obstructed by existing mature vegetation along the bank of Temecula Creek. Residents west of the project site do not have views of Temecula Creek due to a large landscaped fence that borders the housing development's external perimeter, in addition to surrounding trees.

In order to minimize the project's potential construction-related impacts to Temecula Creek, Mitigation Measure AES-1 would be required. Mitigation Measure AES-1 requires the designation of a temporary construction staging area in a clustered fashion in order to minimize construction-related aesthetic impacts to views of Temecula Creek. The staging area will be setback 100 feet from Temecula Creek along the southeast portion of the site. The staging area is to be in close proximity to the mature vegetation located on the adjacent storage facility property. The mature vegetation will assist in screening the staging area from Pechanga Parkway and adjacent land uses, thus reducing temporary visual impacts. With the implementation of Mitigation Measure AES-1, construction-related impacts would be less than significant.

The project has been designed to incorporate a six foot tall wall and a dense row of trees along the site's northern boundary to avoid potential operational impacts to Temecula Creek and the sensitive species it may support; refer to Section 3.4, *Biological Resources*. The proposed six foot wall, to be located adjacent to Temecula Creek, will be lower in height than the existing vegetation. The project will add more dense vegetation on the creek side of the wall that will enhance and blend with the existing vegetation and will continue to screen Temecula Creek views as the proposed planted vegetation matures and grows in height. The wall will be painted or plastered with a color scheme that will have visual unity with the restaurant and be compatible with the natural environment. The visual/aesthetic design of the wall will be approved by the City to ensure that visual impacts are minimized. Further, the restaurant building itself (which has the greatest potential to impact views) would be situated in the center of the triangular-shaped property to minimize impacts to this viewshed.

Therefore, with the incorporation of appropriate mitigation, a less than significant impact would occur.

MITIGATION MEASURES

AES-1 Prior to construction, the City shall define the temporary construction equipment staging areas to be used within the project site. Materials, heavy-duty equipment, and debris piles shall be clustered in order to minimize visual impacts during construction and will be located near the existing mature vegetation in close proximity to the property line of the existing adjacent storage facility. The location of the staging area will be setback from Temecula Creek a minimum of 100 feet.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway? ***Determination: No Impact.***

According to the California Department of Transportation's Scenic Highways Program Database, the project area does not contain any officially designated scenic highways (Caltrans 2015). The nearest eligible scenic highway is Interstate 15 (I-15), which is located approximately 0.70 mile west of the project site. The project site does not support scenic trees, rock outcroppings, or

historic buildings; refer to Exhibit 3. Due to the absence of designated scenic highways in the vicinity of the project site, no impacts would occur.

c) *Substantially degrade the existing visual character or quality of the site and its surroundings?* ***Determination: Less Than Significant with Mitigation Incorporated.***

The project site is located in a generally disturbed and developed landscape. The site is surrounded by residential and commercial land uses to the west, south, and east. The northern boundary of the project site directly abuts Temecula Creek. The parcel on which the project would be constructed is devoid of any substantial on-site vegetation due to routine weed abatement activities.

Short-term visual impacts associated with project construction activities would occur due to the presence of construction equipment and heavy-duty vehicles, materials and debris piles, and general construction activities. However, these impacts would be temporary and limited to the construction duration of the project. Mitigation Measure AES-1, included above, would reduce visual impacts through the clustering of construction equipment within on-site temporary staging areas to reduce the visibility of construction activities from off-site public vantage points. Less than significant short-term construction-related impacts would occur.

The project would involve a commercial land use that would be consistent with existing properties to the east. In addition, the project would be designed to be compatible with the scale of the surrounding land uses, the site's existing zoning, and PDO-1 requirements. The project would be designed such that it reflects the design elements identified in the City of Temecula City-Wide Design Guidelines (2005). The project would also include a landscape design plan that would improve the overall aesthetic appearance of the existing parcel; refer to Exhibit 4, *Project Landscape* Plan.

Based on these considerations and with implementation of Mitigation Measure AES-1, the proposed project would have a less than significant operational impact on the existing visual character or quality of the site and its surroundings.

MITIGATION MEASURES

AES-1 Refer to Impact 3.1(a), above.

d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?* ***Determination: Less Than Significant Impact.***

Temporary glare from construction activities (including construction equipment and related materials) is possible, but due to the anticipated small-sized construction crew and short-term construction duration, no new substantial sources of light or glare would result from the project. Construction would occur during daylight hours and would not require nighttime construction lighting. The project does not propose any nighttime construction activities that would require the use of nighttime lighting. As such, substantial impacts related to light or glare are not anticipated during project construction.

Anticipated long-term light sources would include internal restaurant lighting, parking lot security lighting, and external illuminated signage and patio lighting. Through the design process, and in consultation with regulating agencies, the parking and safety lighting for the project has been lowered and relocated to avoid lighting impacts to the adjacent Temecula Creek area. The light sources proposed under the project has been designed to avoid light spillage from the on-site lighting to the adjoining properties, Temecula Creek, and public rights-of-way.

Further, the project would be required to comply with Riverside County Ordinance 655, which regulates light pollution for the Palomar Observatory. The observatory is located approximately 17 miles southeast of the project site. According to Ordinance 665, the project is located in Zone B (15–45 miles from the Palomar Observatory). The project would be designed to comply with the development standards outlined for Zone B, including its lamp type and shielding requirements. Compliance with Ordinance 665 would ensure that the project's impacts related to light pollution would be less than significant.

For these reasons, impacts associated with the construction and long-term operation of the project would be less than significant.

3.2 AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
2. AGRICULTURE RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	☐	☐	☐	☑
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☑
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☑
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☑
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forestland to non-forest use?	☐	☐	☐	☑

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? ***Determination: No Impact.***

According to the California Department of Conservation (2012) Farmland Mapping and Monitoring Program (FMMP), the project site is not located in an area identified as Prime

Farmland, Farmland of Statewide Importance, or Farmland of Local Importance. The FMMP designates the project site as Urban and Built-Up Land. No impact would occur.

b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?* ***Determination: No Impact.***

Refer to Impact 3.2(a), above. There are no Williamson Act or agriculturally zoned properties within or adjacent to the project site; refer to the California Department of Conservation (2012) FMMP. Therefore, no impacts would occur.

c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?* ***Determination: No Impact.***

According to the City of Temecula's General Plan and Development Code, the proposed project would not be located in areas designated or zoned as forest land. Therefore, implementation of the proposed project would not conflict with existing zoning of forest land, timberland, or timberland production, and no impacts would occur.

d) *Result in the loss of forest land or conversion of forest land to non-forest use?* ***Determination: No Impact.***

Refer to Impact 3.2(c), above. No impacts would occur.

e) *Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?* ***Determination: No Impact.***

Refer to Impacts 3.2(a) and 3.2(b), above. No impacts would occur.

3.3 AIR QUALITY

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
3. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☑	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☑	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☑	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☑	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☑	☐

Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan? ***Determination: Less Than Significant Impact.***

The proposed project is located in the South Coast Air Basin (Basin), which is under the jurisdiction by the South Coast Air Quality Management District (SCAQMD). On December 7, 2012, the SCAQMD Governing Board approved the 2012 Air Quality Management Plan (2012 AQMP), which outlines the district's strategies for meeting the national ambient air quality standards (NAAQS) for fine particulate matter ($PM_{2.5}$) and ozone (O_3). (It is noted that the 2016 AQMP is currently in draft form and has not yet been adopted.) According to the SCAQMD's 2012 AQMP, two main criteria must be addressed.

CRITERION 1

With respect to the first criterion, SCAQMD methodologies require that an air quality analysis for a project include forecasts of project emissions in relation to contributing to air quality violations and delay of attainment.

- *Would the project result in an increase in the frequency or severity of existing air quality violations?*

  Since the consistency criteria identified under the first criterion pertains to pollutant concentrations, rather than to total regional emissions, an analysis of a project's pollutant emissions relative to localized pollutant concentrations is used as the basis for evaluating project consistency. As discussed in Table 3.3-1, *Construction-Related Emissions*, and Impact 3.3(d), below, localized concentrations of carbon monoxide (CO), nitrogen oxides (NO_X), and fugitive dust (PM_{10} and $PM_{2.5}$) would be less than significant during project construction and

operations. Therefore, the proposed project would not result in an increase in the frequency or severity of existing air quality violations. Because reactive organic gases (ROGs) are not a criteria pollutant, there is no ambient standard or localized threshold for ROGs. Due to the role ROG plays in ozone formation, it is classified as a precursor pollutant and only a regional emissions threshold has been established.

- *Would the project cause or contribute to new air quality violations?*

  As discussed in Impact 3.3(b), operations of the proposed project would result in emissions that would be below the SCAQMD operational thresholds. Therefore, the proposed project would not have the potential to cause or affect a violation of the ambient air quality standards.

- *Would the project delay timely attainment of air quality standards or the interim emissions reductions specified in the AQMP?*

  The proposed project would result in less than significant impacts with regard to localized concentrations during project operations. As such, the proposed project would not delay the timely attainment of air quality standards or 2012 AQMP emissions reductions.

CRITERION 2

With respect to the second criterion for determining consistency with the SCAQMD's and the Southern California Association of Governments' (SCAG) air quality policies, it is important to recognize that air quality planning in the Basin focuses on attainment of ambient air quality standards at the earliest feasible date. Projections for achieving air quality goals are based on assumptions regarding population, housing, and growth trends. Thus, the SCAQMD's second criterion for determining project consistency focuses on whether the proposed project exceeds the assumptions utilized in preparing the forecasts presented in the 2012 AQMP. Determining whether a project exceeds the assumptions reflected in the 2012 AQMP involves the evaluation of the three criteria outlined below. The following discussion provides an analysis of each of these criteria.

- *Would the project be consistent with the population, housing, and employment growth projections utilized in the preparation of the AQMP?*

  In the case of the 2012 AQMP, three sources of data form the basis for the projections of air pollutant emissions: the Temecula General Plan and other relevant general plans, the Growth Management Chapter of SCAG's Regional Comprehensive Plan (RCP), and SCAG's 2012–2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The RTP/SCS also provides socioeconomic forecast projections of regional population growth. The project site is zoned as a Planned Development Overlay (PDO-1) and designated as Neighborhood Commercial (NC) by the General Plan. Typical uses include traditional small-scale food markets (usually less than 30,000 square feet), drugstores, clothing stores, sporting goods stores, offices, hardware stores, child-care centers, other retail and personal service uses, and community facilities. Neighborhood commercial centers usually are developed on less than 10 acres of land and range between 25,000 and 75,000 square feet. The proposed project land use is consistent with the Temecula Municipal Code and General Plan.

  As of 2015, the City of Temecula reported 49,292 jobs and 33,369 households within the city limits, a ratio of 1.47. SCAG projections for 2020 include 54,111 jobs and 30,584 households within the city limits, a ratio of 1.76. The proposed commercial restaurant would increase

employment by approximately 60 employees (30 employees per shift); however, this nominal increase would be in line with SCAG projections. Thus, although the proposed project would increase employment, it would not result in growth significantly exceeding existing local conditions and/or regional growth projections within the city. Therefore, the proposed project would be considered consistent with the overall type, intensity, and pattern of land use envisioned for the site vicinity in the RCP.

- *Would the project implement all feasible air quality mitigation measures?*

  Compliance with all feasible emission reduction measures identified by the SCAQMD, including those identified under Mitigation Measure AQ-1, would be required as identified in Impact 3.3(b). As such, the proposed project would meet this 2012 AQMP consistency criterion.

- *Would the project be consistent with the land use planning strategies set forth in the AQMP?*

  The proposed project would serve to implement various City and SCAG policies related to air quality. The proposed project is located in a developed portion of the city and is considered to be an infill development in the vicinity of a mix of residential and commercial uses.

In conclusion, the determination of 2012 AQMP consistency is primarily concerned with the long-term influence of a project on air quality in the Basin. The proposed project would not result in a long-term impact on the region's ability to meet state and federal air quality standards. Also, the proposed project would be consistent with the goals and policies of the AQMP for the control of fugitive dust. As discussed above, the proposed project would also be consistent with the SCAQMD's and SCAG's goals and policies and is considered consistent with the 2012 AQMP. Less than significant impacts would occur in this regard.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? ***Determination: Less Than Significant with Mitigation Incorporated.***

SHORT-TERM CONSTRUCTION EMISSIONS

The project involves construction activities associated with grading, paving, building construction, and architectural coating applications. The project would be constructed over approximately six months, beginning in July 2017. Approximately 1,600 cubic yards of fill would be imported to the project site during grading activities. Exhaust emission factors for typical diesel-powered heavy equipment are based on the California Emissions Estimator Model (CalEEMod) program defaults. Variables factored into estimating the total construction emissions include the level of activity, length of construction period, number of pieces and types of equipment in use, site characteristics, weather conditions, number of construction personnel, and amount of materials to be transported on- or off-site. The analysis of daily construction emissions was prepared utilizing CalEEMod. Refer to Appendix A, *Air Quality/Greenhouse Gas Data*, for the CalEEMod outputs and results. Table 3.3-1, *Construction-Related Emissions*, presents the anticipated daily short-term construction emissions.

Table 3.3-1: Construction-Related Emissions

Emissions Source	Pollutant (pounds/day)[1]					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Unmitigated Emissions	8.24	38.39	25.80	0.04	8.62	5.17
Mitigated Emissions[2,3]	8.24	38.39	25.80	0.04	4.97	3.24
SCAQMD Thresholds	*75*	*100*	*550*	*150*	*150*	*55*
Is Threshold Exceeded After Mitigation?	***No***	***No***	***No***	***No***	***No***	***No***

Notes:
1. Emissions were calculated using CalEEMod, as recommended by the SCAQMD. It should be noted that since the air quality modeling was conducted, the anticipated construction schedule has been delayed by approximately one year. All other construction assumptions would remain unchanged. As equipment emissions decrease in later years due to regulatory requirements, improved technology, and fleet turnover, the emissions reported in this table are considered conservative.
2. The reduction/credits for construction emission mitigations are based on mitigation included in CalEEMod and as typically required by the SCAQMD through Rule 402 and 403. The mitigation includes the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; cover stockpiles with tarps; water all haul roads twice daily; and limit speeds on unpaved roads to 15 miles per hour.
3. Refer to Appendix A, *Air Quality/Greenhouse Gas Data*, for assumptions used in this analysis.

Fugitive Dust Emissions

Construction activities are a source of fugitive dust emissions that may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the project area. Fugitive dust emissions are associated with land clearing, ground excavation, cut and fill, and truck travel on unpaved roadways (including demolition as well as construction activities including soil import). Fugitive dust emissions vary substantially from day to day, depending on the level of activity, specific operations, and weather conditions. Fugitive dust from grading, excavation, and construction is expected to be short term and would cease upon project completion. Additionally, most of this material is inert silicates, rather than the complex organic particulates released from combustion sources, which are more harmful to health.

Dust (larger than 10 microns) generated by such activities usually becomes more of a local nuisance than a serious health problem. Of particular health concern is the amount of PM_{10} (particulate matter smaller than 10 microns) generated as a part of fugitive dust emissions. PM_{10} poses a serious health hazard alone or in combination with other pollutants. Fine particulate matter ($PM_{2.5}$) is mostly produced by mechanical processes.[2] These include automobile tire wear, industrial processes such as cutting and grinding, and re-suspension of particles from the ground or road surfaces by wind and human activities such as construction or agriculture. $PM_{2.5}$ is mostly derived from combustion sources, such as automobiles, trucks, and other vehicle exhaust, as well as from stationary sources. These particles are either directly emitted or are formed in the atmosphere from the combustion of gases such as NO_X and sulfur oxides (SO_X) combining with ammonia. $PM_{2.5}$ components from material in the earth's crust, such as dust, are also present, with the amount varying in different locations.

Mitigation Measure AQ-1 would implement dust control techniques (i.e., daily watering), limitations on construction hours, and adherence to SCAQMD Rules 402 and 403 (which require watering of inactive and perimeter areas, track-out requirements, etc.) to reduce PM_{10} and $PM_{2.5}$ concentrations. It should be noted that these reductions were applied in CalEEMod. The

[2] The principle health effects associated with PM_{10} include eye and respiratory tract irritation. PM_{10} also decreases lung capacity and can increase human risk to cancer and mortality. The principle health effects associated with $PM_{2.5}$ include increased risk to respiratory disease, lung damage, cancer, and premature death.

recommended mitigation measures would be required to ensure compliance with SCAQMD rules and regulations, which would be verified and enforced through the city's development review process. As depicted in Table 3.3-1, total PM_{10} and $PM_{2.5}$ emissions would not exceed the SCAQMD thresholds during construction with or without adherence. Thus, construction air quality impacts would be less than significant.

Construction Equipment and Worker Vehicle Exhaust

Exhaust emissions from construction activities include emissions associated with the transport of machinery and supplies to and from the project site, emissions produced on-site as the equipment is used, and emissions from trucks transporting materials to/from the site. As presented in Table 3.3-1, construction equipment (NO_x, SO_x, and particulates) and worker vehicle exhaust emissions would be below the established SCAQMD thresholds. Therefore, air quality impacts from equipment and vehicle exhaust emissions would be less than significant.

Reactive Organic Gases (ROG) Emissions

In addition to gaseous and particulate emissions, the application of asphalt and surface coatings also creates ROG emissions, which are ozone precursors. As required, all architectural coatings for the proposed project structures would comply with SCAQMD Regulation XI, Rule 1113, Architectural Coating. Rule 1113 provides specifications on painting practices as well as regulates the ROG content of paint. ROG emissions associated with the proposed project would be less than significant; refer to Table 3.3-1.

Asbestos

Asbestos is a term used for several types of naturally occurring fibrous minerals that are a human health hazard when airborne. The most common type of asbestos is chrysotile, but other types such as tremolite and actinolite are also found in California. Asbestos is classified as a known human carcinogen by State, federal, and international agencies and was identified as a toxic air contaminant by the California Air Resources Board (CARB) in 1986.

Asbestos can be released from serpentinite and ultramafic rocks when the rock is broken or crushed. At the point of release, the asbestos fibers may become airborne, causing air quality and human health hazards. These rocks have been commonly used for unpaved gravel roads, landscaping, fill projects, and other improvement projects in some localities. Asbestos may be released to the atmosphere due to vehicular traffic on unpaved roads, during grading for development projects, and at quarry operations. All of these activities may have the effect of releasing potentially harmful asbestos into the air. Natural weathering and erosion processes can act on asbestos bearing rock and make it easier for asbestos fibers to become airborne if such rock is disturbed. According to the California Department of Conservation Division of Mines and Geology (2000), serpentinite and ultramafic rocks are not known to occur in the project area. Thus, there would be no impact in this regard.

Total Daily Construction Emissions

In accordance with the SCAQMD guidelines, CalEEMod was used to model construction emissions for ROG, NO_X, CO, SO_X, PM_{10}, and $PM_{2.5}$. CalEEMod allows the user to input mitigation measures such as watering the construction area to limit fugitive dust. Mitigation measures that were input into CalEEMod allow for certain reduction credits and result in a decrease of pollutant emissions. Reduction credits are based on studies developed by CARB, the SCAQMD, and other air quality management districts throughout California and were programmed in CalEEMod. Table 3.3-1 also shows the reduction associated with recommended mitigation measures calculated by CalEEMod.

As indicated in Table 3.3-1, impacts would be less than significant for all criteria pollutants during construction. Implementation of standard SCAQMD measures (required by Mitigation Measure AQ-1) would further reduce these emissions. Thus, construction-related air emissions would be less than significant.

LONG-TERM EMISSIONS

Mobile Source Emissions

Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending on the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO_X, SO_X, PM_{10}, and $PM_{2.5}$ are all pollutants of regional concern (NO_X and ROG react with sunlight to form ozone [photochemical smog], and wind currents readily transport SO_X, PM_{10}, and $PM_{2.5}$). However, CO tends to be a localized pollutant, dispersing rapidly at the source.

Based on the CalEEMod default trip rate for the project (a high turnover sit-down restaurant), the proposed project would generate approximately 1,700 daily trips. Table 3.3-2, *Long-Term Operational Air Emissions*, presents the anticipated mobile source emissions. As shown in Table 3.3-2, unmitigated emissions generated by vehicle traffic associated with the proposed project would not exceed established SCAQMD thresholds. Impacts from mobile source air emissions would be less than significant.

Table 3.3-2: Long-Term Operational Air Emissions

Emissions Source	Pollutant (pounds/day)[1, 2]					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Area Source Emissions	0.35	0.00	0.00	0.00	0.00	0.00
Energy Emissions	0.11	1.00	0.84	0.01	0.08	0.08
Mobile Emissions	6.51	12.77	49.15	0.09	6.28	1.78
Total Emissions	**6.97**	**13.77**	**49.99**	**0.09**	**6.35**	**1.86**
SCAQMD Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Is Threshold Exceeded? (Significant Impact?)	***No***	***No***	***No***	***No***	***No***	***No***

Notes:
1. Based on CalEEMod modeling results, worst-case seasonal emissions for area and mobile emissions have been modeled.
2. Refer to Appendix A, *Air Quality/Greenhouse Gas Data*, for assumptions used in this analysis.

Area Source Emissions

Area source emissions would be generated from consumer products, architectural coating, hearths, and landscaping. As shown in Table 3.3-2, area source emissions from the proposed project would not exceed SCAQMD thresholds for ROG, NO_X, CO, SO_X, PM_{10}, or $PM_{2.5}$.

Energy Source Emissions

Energy source emissions would be generated as a result of electricity and natural gas (non-hearth) usage associated with the proposed project. The primary use of electricity and natural gas by the project would be for space restaurant appliances, heating and cooling, water heating, ventilation, lighting, and electronics. As shown in Table 3.3-2, energy source emissions from the proposed project would not exceed SCAQMD thresholds for ROG, NO_X, CO, SO_X, PM_{10}, or $PM_{2.5}$.

Total Operational Emissions

As indicated in Table 3.3-2, unmitigated operational emissions from the proposed project would not exceed SCAQMD thresholds. Thus, operational air quality impacts would be less than significant.

MITIGATION MEASURES

AQ-1 Prior to the issuance of any grading permit, the City Engineer shall confirm that the grading plan and project specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions will be controlled by regular watering or other dust prevention measures, as specified in the SCAQMD's rules and regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:

- Pave or apply water every three hours during daily construction activities or apply nontoxic soil stabilizers on all unpaved access roads, parking areas, and staging areas. More frequent watering shall occur if dust is observed migrating from the site during site disturbance.
- Any on-site stockpiles of debris, dirt, or other dusty material shall be enclosed, covered, or watered twice daily, or nontoxic soil binders shall be applied.
- All grading and excavation operations shall be suspended when wind speeds exceed 25 miles per hour.
- Disturbed areas shall be replaced with ground cover or paved immediately after construction is completed in the affected area.
- Track-out devices such as gravel bed track-out aprons (3 inches deep, 25 feet long, 12 feet wide per lane and edged by a rock berm or row of stakes) shall be installed to reduce mud/dirt track-out from unpaved truck exit routes. Alternatively, a wheel washer shall be used at truck exit routes.
- On-site vehicle speed shall be limited to 15 miles per hour.
- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site.
- Trucks associated with soil-hauling activities shall avoid residential streets and utilize City-designated truck routes to the extent feasible.

c) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?* ***Determination: Less Than Significant Impact.***

With respect to the proposed project's construction-related air quality emissions and cumulative basin-wide conditions, the SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the 2012 AQMP pursuant to federal Clean Air Act (CAA) mandates. As such, the proposed project would comply with SCAQMD Rule 403 requirements and implement all feasible mitigation measures (Mitigation Measure AQ-1). Rule 403 requires that fugitive dust be controlled with the best available control measures in order to reduce dust so that it does not remain visible in the atmosphere beyond the property line of the proposed project. In addition, the proposed project would comply with adopted 2012 AQMP emissions control measures. Per SCAQMD rules and mandates, as well as the CEQA requirement that significant impacts be mitigated to the extent feasible, these same requirements (i.e., Rule 403 compliance, the implementation of all feasible mitigation measures, and compliance with

adopted 2012 AQMP emissions control measures) would also be imposed on construction projects throughout the Basin.

As discussed previously, the proposed project would not result in long-term air quality impacts, as emissions would not exceed the SCAQMD's adopted operational thresholds. Additionally, adherence to SCAQMD rules and regulations (i.e., SCAQMD Rule 403) would alleviate potential impacts related to cumulative conditions on a project-by-project basis. Emissions reduction technology, strategies, and plans are constantly being developed. As a result, the proposed project would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant. Therefore, cumulative operational impacts associated with implementation of the proposed project would be less than significant.

d) *Expose sensitive receptors to substantial pollutant concentrations?* ***Determination: Less Than Significant with Mitigation Incorporated.***

Sensitive receptors are defined as facilities or land uses that include members of the population who are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65 years of age, children under the age of 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis.

Sensitive receptors near the project site include the residences approximately 50 meters (164.04 feet) to the south and west. In order to identify impacts to sensitive receptors, the SCAQMD recommends addressing localized significance thresholds (LSTs) for construction and operations impacts (area sources only). The carbon monoxide hot-spot analysis following the LST analysis addresses localized mobile source impacts.

LOCALIZED SIGNIFICANCE THRESHOLDS (LSTS)

LSTs were developed in response to the SCAQMD Governing Board's Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the Final Localized Significance Threshold Methodology (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized air quality impacts. The SCAQMD provides the LST screening lookup tables for 1-, 2-, and 5-acre projects emitting CO, NO_X, $PM_{2.5}$, or PM_{10}. The LST methodology and associated mass rates are not designed to evaluate localized impacts from mobile sources traveling over the roadways. The SCAQMD recommends that any project over 5 acres should perform air quality dispersion modeling to assess impacts to nearby sensitive receptors. The project is located in Source Receptor Area (SRA) 26, Temecula Valley.

CONSTRUCTION

Based on the SCAQMD guidance on applying CalEEMod to localized significance thresholds, the project would disturb a maximum of approximately 2.61 acres of land per day. Therefore, the LST thresholds for 2 acres were conservatively utilized for the construction LST analysis. Because the nearest sensitive uses are approximately 50 meters to the southwest of the project site, the LST value for 50 meters was utilized. Table 3.3-3, *Localized Significance of Construction Emissions*, shows the localized unmitigated and mitigated construction-related emissions. It is noted that the localized emissions presented in Table 3.3-3 are less than those in Table 3.3-1 because localized emissions include only on-site emissions (i.e., from construction equipment and fugitive dust). As seen in Table 3.3-3, mitigated on-site emissions would not exceed the LSTs

for SRA 26. With implementation of Mitigation Measure AQ-1, impacts would be less than significant.

Table 3.3-3: Localized Significance of Construction Emissions

Source	Pollutant (pounds/day)			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Construction				
Total Unmitigated On-Site Emissions[1]	29.95	19.63	7.83	4.86
Total Mitigated On-Site Emissions[1]	29.95	19.63	4.30	2.96
Localized Significance Threshold[2]	275	1,386	20	6
Thresholds Exceeded?	***No***	***No***	***No***	***No***

Notes:
1. The grading phase emissions are presented as the worst-case scenario.
2. The localized significance threshold was determined using Appendix C of the SCAQMD Final Localized Significant Threshold Methodology guidance document for pollutants NO_X, CO, PM_{10}, and $PM_{2.5}$. The LST was based on the anticipated daily acreage disturbance for construction (approximately 2.61 acres; therefore, the thresholds for 2 acres were conservatively used), the distance to sensitive receptors, and the source receptor area (SRA 26).

OPERATIONS

As seen in Table 3.3-4, *Localized Significance of Operational Emissions*, project-related operational area source emissions would be negligible and would be below the LSTs. Therefore, operational LST impacts would be less than significant in this regard.

Table 3.3-4: Localized Significance of Operational Emissions

Source	Pollutant (pounds/day)			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Operational				
Area Source Emissions	0.00	0.00	0.00	0.00
Localized Significance Threshold[1]	275	1,386	5	2
Thresholds Exceeded?	***No***	***No***	***No***	***No***

Notes:
1. The localized significance threshold was determined using Appendix C of the SCAQMD Final Localized Significant Threshold Methodology guidance document for pollutants NO_X, CO, PM_{10}, and $PM_{2.5}$. The LST was based on the area of the project site.

Carbon Monoxide Hot Spots

CO emissions are a function of vehicle idling time, meteorological conditions, and traffic flow. Under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels (i.e., adversely affecting residents, schoolchildren, hospital patients, the elderly, etc.).

The SCAQMD requires a quantified assessment of CO hot spots when a project increases the volume-to-capacity ratio (also called the intersection capacity utilization) by 0.02 (2 percent) for any intersection with an existing level of service (LOS) D or worse. Because traffic congestion is highest at intersections where vehicles queue and are subject to reduced speeds, these hot spots are typically produced at intersections.

The Basin is designated as an attainment/maintenance area for the federal CO standards and an attainment area for State standards. There has been a decline in CO emissions even though vehicle miles traveled on urban and rural roads in the United States have increased. On-road mobile source CO emissions declined 24 percent between 1989 and 1998, despite a 23 percent rise in motor vehicle miles traveled over the same 10 years. California trends have been consistent with national trends; CO emissions declined 20 percent in California from 1985 through 1997 while vehicle miles traveled increased 18 percent in the 1990s. Three major

control programs have contributed to the reduced per-vehicle CO emissions: exhaust standards, cleaner burning fuels, and motor vehicle inspection/maintenance programs.

A detailed CO analysis was conducted in the Federal Attainment Plan for Carbon Monoxide (CO Plan) for the SCAQMD's 2003 Air Quality Management Plan. The locations selected for microscale modeling in the CO Plan are worst-case intersections in the Basin and would likely experience the highest CO concentrations. Thus, CO analysis in the CO Plan was used in a comparison to the proposed project, since it represents a worst-case scenario with heavy traffic volumes in the Basin.

Of the SCAQMD locations selected for microscale modeling, the Wilshire Boulevard/Veteran Avenue intersection in Los Angeles experienced the highest CO concentration (4.6 parts per million [ppm]), which is well below the 35-ppm 1-hour CO federal standard. The Wilshire Boulevard/Veteran Avenue intersection is one of the most congested intersections in Southern California with an average daily traffic (ADT) volume of approximately 100,000 vehicles per day. As CO hot spots were not experienced at the Wilshire Boulevard/Veteran Avenue intersection, it can be reasonably inferred that CO hot spots would not be experienced at any intersections in Temecula near the project site due to the low volume of traffic (1,700 daily trips) that would occur as a result of project implementation. Therefore, impacts would be less than significant in this regard.

MITIGATION MEASURES

AQ-1 Refer to Impact 3.3(b) above.

e) Create objectionable odors affecting a substantial number of people? ***Determination: Less Than Significant Impact.***

According to the SCAQMD's (1993) CEQA Air Quality Handbook, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Adherence to SCAQMD Rules 402 and 1138 (which require the testing of specific cooking devices, a catalytic oxidizer control device or other control device or method found to be as or more effective, etc.) would reduce the nuisance of restaurant odors.

Construction activity associated with the project may generate detectable odors from heavy-duty equipment exhaust. Construction-related odors would be short term in nature and cease upon project completion. Existing sensitive receptors located in the project vicinity include residential uses located approximately 160 feet to the southwest of the project site; therefore, any construction-related and operational restaurant-related odors would dissipate before impacting sensitive uses. The distance between the project site and sensitive receptors, as well as the project's limited use of materials which could potentially result in objectionable odors, would reduce the project's impacts to less than significant levels. Any impacts to existing adjacent land uses would be short term, as previously noted, and are considered less than significant given the project's size.

3.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
4. BIOLOGICAL RESOURCES – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☑	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☑	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☑	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☑	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☑
f) Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan?	☐	☑	☐	☐

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? ***Determination: Less Than Significant with Mitigation Incorporated.***

A habitat assessment was prepared for the project and included a site visit by biologists on December 14, 2015 (Michael Baker 2016a); refer to Appendix B, *Habitat Assessment*, for the full report. Staff found that the project site consists mostly of vacant, undeveloped land that is periodically mowed and is now vegetated mostly by early successional plant species. The City of Temecula is a permittee under the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP); as such, special attention was given to species listed under the MSHCP as well as to special-status habitats and/or undeveloped areas, which have higher

potentials to support special-status flora and fauna species. The project site is located in the Southwest Area Plan of the MSHCP, Subunit 2, Temecula and Pechanga Creeks. The project site is located within Criteria Cell 7445, an independent cell that is not associated with any Cell Group. The project site is located outside of the MSHCP conserved area; however, it is immediately adjacent to the conservation area. Refer to Exhibit 5, *MSHCP Conservation Area*. Pursuant to the MSHCP, Mitigation Measure BIO-1 includes a number of design requirements as required by the MSHCP Wildland/Urban Interface Guidelines (Section C.1.4 of the MSHCP).

VEGETATION

Because of the high level of disturbance on the project site, two plant communities were observed on-site, best defined under the MSHCP as riparian forest/woodland/scrub and residential/urban/exotic; refer to Appendix B Exhibit 6, *Vegetation Map*. The riparian forest/woodland/scrub vegetation community is located in a narrow strip along the northern border of the project site, associated with Temecula Creek. The plant community is located on a bluff above Temecula Creek and is primarily composed of a mosaic of mulefat, sandbar willow, black willow, and tamarisk. The community is slightly denser, primarily with mulefat, at the western end of the site, where a posted sign denotes that the habitat surrounding Temecula Creek is a habitat restoration area. The project footprint does not encroach upon this area and no impacts to the habitat will occur from site development. This plant community is generally underlain by non-native grasses and shortpod mustard.

Most of the on-site vegetation is best characterized as the MSHCP's residential/urban/exotic community. This includes the entire project site except for its northern border, which is classified as riparian forest/woodland/scrub as noted above. Most of this area can be denoted as the "ruderal" subclass of this MSHCP community, as it is periodically mowed and most of the vegetation now consists of low-growing, early successional plant species.

WILDLIFE

In regard to wildlife, observations were based on calls, songs, scat, tracks, burrows, and actual sightings of animals. No fish, amphibians, or reptile species were observed on the project site. Furthermore, no MSHCP covered species of fish, amphibians, or reptiles are identified as potentially occurring on the project site. Raccoon was the only mammalian species observed on the project site. However, most mammalian species are nocturnal and several rodent burrows were found in the upland portion of the site, but the biologists were unable to determine if they were actively in use or what species is using them. The MSHCP does not identify any covered or special-status mammalian species as potentially occurring on the project site.

Twelve avian species were observed on the project site during the habitat assessment. The riparian vegetation on the northern extent of the project site may provide suitable habitat for additional migrant and resident species that were not observed during the field study. While the project site contains limited areas suitable for foraging and cover, land within 152.4 meters (500 feet) of the project site would provide suitable nesting opportunities for avian species. Pursuant to the Migratory Bird Treaty Act (MBTA), it is unlawful to pursue, capture, kill, or possess or attempt to do the same to any migratory bird or part, nest, or egg of any such bird listed in applicable wildlife protection treaties. Mitigation measures were developed to protect the potential nesting areas surrounding the project site; refer to Mitigation Measure BIO-2.

Furthermore, though not observed during the habitat assessment, the project site contains favorable habitat for both burrowing owls and least Bell's vireo. In addition, there is suitable least Bell's vireo habitat in Temecula Creek within a one-mile radius of the project site. While the burrowing owl is listed under the MSHCP, based on the poor quality of on-site habitat,

focused surveys are not recommended. However, a preconstruction burrowing owl clearance survey would be required to ensure burrowing owl remain absent from the project site. In regard to the least Bell's vireo, as currently designed, the project would not result in temporary or permanent impacts to Temecula Creek or the riparian habitat associated with Temecula Creek. The project has been redesigned to avoid impacts to Temecula Creek and the sensitive species it supports, including least Bell's vireo. For example, the project would install a six foot wall set back approximately 20 feet from Temecula Creek to separate restaurant operations from the Creek. Additionally, the project would plant a dense row of vegetation between the six foot wall and Temecula Creek. Lighting features adjacent to Temecula Creek would be shielded downward and away from the MSHCP conserved area.

Mitigation Measure BIO-2 restricts the removal of any potential nesting habitat during the avian nesting season and Mitigation Measure BIO-3 requires clearance surveys and buffers to ensure that any nesting birds are protected pursuant to the MBTA and the MSHCP. With implementation of Mitigation Measures BIO-1 through BIO-3, potential impacts on special-status species would be reduced to a less than significant level.

MITIGATION MEASURES

BIO-1 Pursuant to the MSHCP Urban/Wildlands Interface Guidelines, the following design guidelines shall be incorporated into the project:

1. The project's stormwater will be directed to a stormwater basin on the project site. The basin will be designed in accordance with all federal, State, regional, and local standards and regulations concerning water quality.
2. The project shall ensure that the application of chemicals (cooking oils, pesticides, herbicides) does not result in discharge to the MSHCP Conservation Area. During construction of the project, the contractor shall stage construction operations as far away from the MSHCP Conservation Area as possible to the maximum extent feasible.
3. The project shall use light sources designed with internal baffles to direct the lighting toward the ground and developed areas, and have a zero side angle cutoff to the horizon. All lighting will be consistent with Riverside County's Light Pollution Ordinance (Ordinance No. 655).
4. No invasive plant species listed in Table 6.2 of the MSHCP will be included in the project's landscaping plant palette. Final landscape plans will be reviewed and verified by the Western Riverside County Regional Conservation Authority for consistency with the plant species list in Table 6.2 of the MSHCP.
5. The project shall include barriers to restrict direct access to the MSHCP Conservation Area from the project site by unauthorized public access or domestic animals. Consistent with the MSHCP, suitable barriers include native landscaping, rocks/boulders, fencing, walls, signage, and/or other appropriate mechanisms. The barriers shall be placed within the boundaries of the development and will be outside of the confines of the open space/MSHCP Conservation Area.
6. Manufactured slopes associated with site development shall not extend into the MSHCP Conservation Area.

BIO-2 Where feasible, construction shall occur outside of the avian breeding season (generally January 1–August 30). If construction occurs during the avian breeding season, a qualified biologist shall conduct a preconstruction nesting bird clearance survey in all work areas and all areas within 500 feet of the general construction zone. This survey shall occur no more than one week prior to construction. Active nests shall be given an avoidance buffer, typically 300 feet for non-listed non-raptor species and 500 feet for listed and raptor species. The buffer is a no-work zone, and construction activities may not resume until the nest is no longer active (i.e., avian species are no longer showing nesting behavior, young have fledged) and may be reduced with approval from the U.S. Fish and Wildlife Service and/or the California Department of Fish and Wildlife. To determine when nesting behaviors are finished, a qualified biologist shall monitor the nest weekly until the young have fledged and the nest is no longer active.

BIO-3 Within the 30 days prior to any ground-disturbing construction activities on the project site, a qualified biologist shall conduct focused surveys for burrowing owl and least Bell's vireo. For burrowing owl, surveys should be completed in areas of suitable habitat on and within 250 feet of the project. For least Bell's vireo, surveys shall be conducted in the riparian area of the project site as well as within 500 feet of the project site along Temecula Creek.

b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?* ***Determination: Less Than Significant with Mitigation Incorporated.***

Generally, riparian habitat is defined as a vegetated ecosystem along a water body through which energy, materials, and water pass. Riparian areas characteristically have a high water table and are subject to periodic flooding and influence from the adjacent water body. These systems encompass wetlands, adjacent uplands, or some combination of these two landforms. As noted in Impact 3.4(a) above, the project will have limited impact on riparian habitat or sensitive natural communities. With the implementation of Mitigation Measures BIO-1 through BIO-3, impacts would be less than significant.

MITIGATION MEASURES

BIO-1 through **BIO-3** See Impact 3.4(a), above.

c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?* ***Determination: No Impact****.*

Refer to Impact 3.4(b), above. In addition to the habitat assessment, a Delineation of State and Federal Jurisdictional Waters was prepared (Michael Baker 2016b); refer to Appendix C, *Jurisdictional Delineation*. The delineation evaluated both wetland and non-wetland jurisdictional areas. The project has been redesigned to avoid impacts to wetland jurisdictional areas; refer to Exhibit 6, *Jurisdictional Delineation Map*. While US Army Corps of Engineers (USACE) jurisdictional waters are located in the project vicinity, no dredge or fill activities would occur as part of the project; therefore, no permits would be required.

Furthermore, the delineation also evaluated jurisdiction of the Regional Water Quality Control Board and the California Department of Fish and Wildlife (CDFW). The Regional Board regulates discharges to surface waters under the federal CWA and California's Porter-Cologne Water

Quality Control Act. No discharges to jurisdictional surface waters would occur as part of the project; therefore, no permit would be required.

However, Temecula Creek exhibited a bed and bank, and is considered a CDFW jurisdictional streambed. The project has been redesigned to avoid impacts to CDFW jurisdictional areas. Based on the redesign, no CDFW jurisdictional streambed or associated vegetation would be impacted by the project; refer to Exhibit 6, *Jurisdictional Delineation Map*. No impact would occur in this regard.

d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?* ***Determination: Less Than Significant with Mitigation Incorporated****.*

The project area is located in MSHCP Criteria Cell 7445. As noted in Impact 3.4(a) above, while the site is located in an MSHCP Criteria Cell, it is not within the conserved area and impacts to MSHCP linkages would be less than significant. As such, with the implementation of Mitigation Measures BIO-1 through BIO-3, impacts would be less than significant.

MITIGATION MEASURES

BIO-1 through **BIO-3** See Impact 3.4(a) above.

e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?* ***Determination: No Impact.***

According to the City of Temecula Municipal Code, Section 8.48, Heritage Tree Ordinance, the City aims to protect and preserve heritage trees, specifically "oak, California bay laurel, California black walnut, California holly, and California sycamore trees, as well as other trees of special significance to the community." As noted in Impact 3.4(a) above, the project site is extensively disturbed and contains largely small ruderal vegetation. While the project does contain riparian areas, impacts to these sensitive areas would be minimal and do not include the removal of heritage trees identified under City of Temecula Municipal Code, Section 8.48. As such, no impact would occur.

f) *Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan?* ***Determination: Less Than Significant with Mitigation Incorporated****.*

Refer to Impact 3.4(a) above. With the implementation of Mitigation Measures BIO-1 through BIO-3, impacts would be less than significant.

MITIGATION MEASURES

BIO-1 through **BIO-3** See Impact 3.4(a) above.

Exhibit 5: MSHCP Conservation Area

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Source: Eagle Aerial Solutions 2014

Art Gaitan's Mexico Café IS/MND

Jurisdictional Delineation Map

Michael Baker INTERNATIONAL

JN 145559

Exhibit 6

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3.5 CULTURAL RESOURCES

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
5. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☑	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☑	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☑	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☑	☐	☐

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5? ***Determination: Less Than Significant with Mitigation Incorporated.***

A cultural resources assessment, including a site visit conducted on January 18, 2016, was prepared for the project (BCR Consulting 2016). Refer to Appendix D, *Cultural Resources Assessment*, for the full report.

Historic resources generally consist of buildings, structures, improvements, and remnants associated with a significant historic event or person(s) and/or having a historically significant style, design, or achievement. Damage to or demolition of such resources is typically considered to be a significant impact. Impacts to historic resources can occur through direct impacts, such as destruction or removal, and through indirect impacts, such as a change in the setting of a historic resource.

A records search and literature review revealed that 54 cultural resources studies have taken place, resulting in the recording of 25 cultural resources within 1 mile of the project site. However, none of the cultural resources identified by the records search and literature review are currently located within the project boundaries. The nearest historic-period resource is designated P-33-13135 and is commonly known as the Temecula Creek Bridge. It has been demolished but was once located approximately 600 feet to the northwest of the project site. The nearest prehistoric resource is a tribal cultural resource with a minor historic component located approximately 0.25 mile from the project site. During the field survey, no surface cultural resources were recorded within the project site boundaries (refer to Appendix D, *Cultural Resources Assessment*).

The project area is situated within the traditional territory of the Luiseño, which includes Luiseño place names, "tóota yixélval" (pictographs, rock art, and petroglyphs), village complexes, sacred places, tribal cultural places, and other tangible and intangible tribal cultural resources. The Pechanga Band of Luiseño Indians is a federally recognized Indian tribe and sovereign government, and their tribal lands are located south of the proposed project site.

The Pechanga Band of Luiseño Indians has indicated that the project site is near the Luiseño Ancestral Origin Landscape Traditional Cultural Property (National Park Service, National Register listing 14000851, posted on the NPS website under the week on November 28, 2014). The Origin Landscape is both a historic resource (as it is listed on both the National and California Registers), and a tribal cultural resource (TCR); refer to Section 3.17, *Tribal Cultural Resources*, below. As the Pechanga Tribe has identified Traditional Cultural Resources near the project site, Mitigation Measures CR-1 through CR-7 are proposed. Mitigation Measures CR-1 through CR-7 require the presence of an archaeological monitor and Pechanga Tribal monitor during all project-related ground disturbance activities. With adherence to Mitigation Measures CR-1 through CR-7, the project would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064. No impact would occur in this regard.

MITIGATION MEASURES

CUL-1 A professional archaeological monitor shall be present to monitor all ground-disturbing activities associated with the project. The archaeological monitor shall work under the direct supervision of a Cultural Resource Professional that meets the Secretary of the Interior's Professional Qualification Standards for Archaeology (U.S. Department of Interior, 2012) and as approved by the City of Temecula to provide archaeological expertise in carrying out all mitigation measures related to archaeological resources (CUL-2, CUL-3 and CUL-5).

CUL-2 The qualified archeologist, or an archaeologist working under the direction of the qualified archaeologist, along with a representative designated by the Pechanga Tribe, shall conduct pre-construction cultural resources worker sensitivity training to inform construction personnel of the types of cultural resources that may be encountered, and to bring awareness to personnel of actions to be taken in the event of a cultural resources discovery. The City shall ensure that construction personnel are made available for and attend the training and shall retain documentation demonstrating attendance.

CUL-3 Prior to the start of ground-disturbing activities, the qualified archaeologist shall designate an archaeological monitor to observe ground-disturbing activities, including but not limited to, brush clearance and grubbing, grading, trenching, excavation, and the construction of fencing and access roads, in consultation with the Pechanga tribal monitor. If ground-disturbing activities occur simultaneously in two or more areas located more than 500 feet apart, additional archaeological monitors may be required. The archaeological monitor shall keep daily logs. After monitoring has been completed, the qualified archaeologist shall prepare a monitoring report that details the results of monitoring activities, which shall be submitted to the City, Pechanga Tribe, and to the EIC at the University of California, Riverside.

CUL-4 At least 30 days prior to the start of any ground disturbing activity, the City shall contact the Pechanga Tribe of grading, excavation and the monitoring program, and to coordinate with the Pechanga Tribe to develop a Cultural Resources Treatment and Monitoring Agreement (Agreement). The Agreement shall address the treatment of known cultural resources; the designation, responsibilities, and participation of Pechanga Tribal monitors during grading, excavation and all ground disturbing activities; project grading and development scheduling; terms of

compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

The Pechanga Tribal monitor shall monitor observe ground-disturbing activities, including but not limited to, brush clearance and grubbing, grading, trenching, excavation, and the construction of fencing and access roads, in consultation with the archaeological monitor. If ground-disturbing activities occur simultaneously in two or more areas located more than 500 feet apart, additional archaeological monitors may be required. The Pechanga tribal monitor shall keep daily logs. If ground-disturbing activities occur simultaneously in two or more locations, additional Pechanga tribal monitors may be required.

CUL-5 If inadvertent discoveries of subsurface archaeological/cultural resources are made during ground-disturbing activities, the applicant, the qualified archaeologist, and the Pechanga Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. Pursuant to PRC Section 21083.2(b) avoidance is the preferred method of preservation for archaeological resources. PRC Section 21084.3 further requires that agencies shall avoid damaging effects to tribal cultural resources, if feasible. If the City, the qualified archaeologist, and the Pechanga Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the City Planning Director for decision. The City Planning Director shall make the determination based on the provisions of the CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Pechanga Tribe. Notwithstanding any other rights available under the law, the decision of the City Planning Director shall be appealable to the City Planning Commission and/or City Council.

CUL-6 The City shall relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are recovered as a result of project implementation to the Pechanga Tribe for proper treatment and disposition as outlined in the Agreement (Mitigation Measure CUL-4).

CUL-7 All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.

b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?* ***Determination: Less Than Significant with Mitigation Incorporated****.*

Archaeological sites are locations that contain resources associated with former human activities and may contain such resources as human skeletal remains, waste from tool manufacture, tool concentrations, and/or discoloration or accumulation of soil or food remains. As described above, no archaeological resources have been identified within the project site boundaries; however, there are numerous sites within a mile of the project site.

However, ground-disturbing activities have the potential to yield buried deposits not observed on the surface during surveys. Mitigation Measure CUL-1 through CUL-7 would be implemented for all ground-disturbing activities and would require the presence of an archaeological monitor and Pechanga Tribe representative during ground-disturbing activities to monitor excavation activities. The qualified archaeologist would have the authority to stop or divert construction excavation as necessary to protect resources consistent with state law. Through the implementation of Mitigation Measure CUL-1 through CUL-7, impacts to archaeological resources would be mitigated to less than significant.

MITIGATION MEASURES

CUL-1 Refer to Impact 3.5(a) above.

CUL-2 Refer to Impact 3.5(a) above.

CUL-3 Refer to Impact 3.5(a) above.

CUL-4 Refer to Impact 3.5(a) above.

CUL-5 Refer to Impact 3.5(a) above.

CUL-6 Refer to Impact 3.5(a) above.

CUL-7 Refer to Impact 3.5(a) above.

c) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?* ***Determination: Less Than Significant Impact****.*

Paleontological resources are the preserved fossilized remains of plants and animals. Fossils and traces of fossils are preserved in sedimentary rock units, particularly fine- to medium-grained marine, lake, and stream deposits, such as limestone, siltstone, sandstone, or shale, and in ancient soils (paleosols). They are also found in coarse-grained sediments, such as conglomerates or coarse alluvium sediments. Fossils are rarely preserved in igneous or metamorphic rock units. Fossils may occur throughout a sedimentary unit and, in fact, are more likely to be preserved subsurface, where they have not been damaged or destroyed by previous ground disturbance, amateur collecting, or natural causes such as erosion. In contrast, archaeological and historic resources are often recognized by surface evidence of their presence.

According to Appendix B, *Habitat Assessment*, the project site is underlain by the following soil units: Grangeville fine sandy loam, Riverwash, and Tujunga loamy sand. According to the cultural resources assessment, the project site is not located in an area known for containing significant, nonrenewable paleontological remains. Refer to Appendix D, *Cultural Resources Assessment*, for the full report. As such, a less than significant impact is identified.

d) *Disturb any human remains, including those interred outside of formal cemeteries?* ***Determination: Less Than Significant with Mitigation Incorporated****.*

It is not anticipated that human remains or informal cemetery areas are present on the project site; however, ground-disturbing activities such as grading or excavation have the potential to disturb human remains. If human remains are found, those remains would require proper treatment, in accordance with applicable laws. California Public Resources Code Section 5097.98 and Health and Safety Code Sections 7050.5–7055 describe the general provisions regarding human remains, including the requirements if any human remains are accidentally discovered during excavation of a site.

As required by state law, the requirements and procedures set forth in Section 5097.98 of the California Public Resources Code would be implemented, including notification of the County Coroner, notification of the Native American Heritage Commission, and consultation with the individual identified by the Native American Heritage Commission to be the "most likely descendant."

If human remains are found during excavation, Mitigation Measure CUL-3 requires that construction activities be halted in the vicinity of the find and any area that is reasonably suspected to overlie adjacent remains until the County Coroner has been notified, and the

remains have been investigated and appropriate recommendations have been made for the treatment and removal of the remains. Compliance with federal and state regulations, which detail the appropriate actions necessary in the event human remains are encountered, in addition to Mitigation Measure CUL-8, will ensure that potential impacts to human remains are less than significant.

MITIGATION MEASURES

CUL-8 Consistent with State CEQA Guidelines Section 15064.5, Subdivision (e), in the event of an accidental discovery or recognition of any human remains, the County Coroner shall be notified and construction activities at the affected work site shall be halted. Further, pursuant to PRC Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the remains are found to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. The NAHC must immediately notify the most likely descendant(s) under Public Resources Code Section 5097.98, and the descendants must make recommendations or state their preference for treatment within 48 hours of being granted access as identified in Agreement described in Mitigation Measure CUL-4.

3.6 GEOLOGY AND SOILS

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
6. GEOLOGY AND SOILS – Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☑	☐
ii) Strong seismic ground shaking?	☐	☐	☑	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☑	☐
iv) Landslides?	☐	☐	☐	☑
b) Result in substantial soil erosion or the loss of topsoil?	☐	☑	☐	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☑	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☑	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☑

Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ***Determination: Less Than Significant Impact****.*

Temecula, like the rest of Southern California, is located in a seismically active region as the result of being located near the active margin between the North American and Pacific tectonic plates. Several major faults exist in the region and have the potential to cause damage in the City. The project is located within an Alquist-Priolo Earthquake Fault Zone (Pechanga Quadrangle) (California Department of Conservation, 2016). The most significant

known active fault zone capable of seismic ground shaking that could impact the project vicinity is the Elsinore fault, which is located approximately 0.5 mile south of the project site and runs parallel to and west of Pechanga Parkway. According to the City of Temecula Geographic Information System, the project would be adjacent to Elsinore fault zones located directly north and directly west of the project site. Refer to Figure No. 7, of the updated geotechnical report prepared by C. W. La Monte Company Inc (Appendix E of this document).

Because Temecula is subject to strong ground shaking in the event of a major earthquake on regional faults, all construction is required to comply with the most current California Building Code (CBC) requirements. Additionally, compliance with existing City building standards and other applicable seismic-related design requirements would further reduce the potential for damage to occur as the result of rupture of known earthquake faults in the region.

Development of the project site would include grading and/or other ground-disturbing activities to allow for the proposed development. Based on the conditions described above, no proposed structure would be placed within a fault setback zone. Project compliance with the CBC and other applicable local seismic-related building requirements would reduce the potential for impacts to occur from the exposure of people or structures to potential substantial adverse effects as the result of fault rupture. Therefore, project impacts are considered to be less than significant.

ii) Strong seismic ground shaking? ***Determination: Less Than Significant Impact.***

As discussed in Impact 3.6(a)(i) above, the project site is located approximately 0.5 mile from the Elsinore fault, which has the potential to create strong seismic ground shaking. Therefore, the project site could be exposed to ground shaking during seismic events. Construction of the future building pads and the design and engineering of the structure would be required to comply with the City's Building Code and the CBC. Additionally, the General Plan Public Safety Element includes goals and policies to protect Temecula from impacts associated with fault rupture and strong seismic ground shaking. For example, Safety Element Policies 1.1 through 1.5 work to protect the City from the natural hazards associated with geologic instability and seismic events. As such, impacts would be less than significant.

iii) Seismic-related ground failure, including liquefaction? ***Determination: Less Than Significant Impact.***

The occurrence of liquefaction and seismically induced settlement or ground failure is generally related to strong seismic shaking events where the groundwater table occurs at a relatively shallow depth (generally within 50 feet of the ground surface) or where lands are underlain by loose, cohesionless deposits. Liquefaction generally results in the loss of shear strength of a soil, which occurs due to the increase of pore water pressure caused by the rearrangement of soil particles induced by shaking or vibration. During liquefaction, soil strata typically behave similar to a heavy fluid.

According to the City of Temecula Geographic Information System, the project site is highly susceptible to liquefaction. According to the updated geotechnical report prepared by C. W. La Monte Company Inc. (2014b), the project site includes saturated soils at a depth of 16 feet (assumed to be a capillary fringe of the groundwater table), and may experience an estimated settlement of 2.3 inches due to liquefaction, once grading is complete; refer to Appendix E.

Placement and compaction of any fill material for the proposed structures must be performed in accordance with the City of Temecula grading standards and to the satisfaction of a qualified geotechnical engineer, as referenced in the updated geotechnical report; refer to Appendix E. In addition, the project would be required to comply with the CBC, as well as applicable General Plan policies and City codes and regulations. The project site in not affected by a designated Alquist-Priolo Liquefaction Zone; refer to Impact 3.6(a)(i) above. Therefore, impacts associated with ground failure, including liquefaction and settlement, are considered to be less than significant (California Department of Conservation, 2016).

iv) Landslides? ***Determination: No Impact.***

According to the City of Temecula General Plan EIR, potential landslide conditions exist in the hillside areas of southwest Temecula with slopes greater that 15 percent. The proposed project site is not located in an area conducive to landslides as described in the General Plan EIR. Further, the relatively uniform topography of the site and adjacent land would not be conducive or prone to landslides. Therefore, no impacts would occur.

b) Result in substantial soil erosion or the loss of topsoil? ***Determination: Less Than Significant Impact with Mitigation Incorporated.***

Grading and trenching during the project's construction phase would displace soils and temporarily increase the potential for soils to be subject to wind and water erosion. Soil erosion is most prevalent in unconsolidated alluvium and surficial soils and in areas that have slopes.

To reduce potential impacts related to the loss of topsoil, the project applicant would be required to meet City of Temecula grading standards and as required, would prepare site-specific grading plans to be approved and signed by a registered civil engineer. Further, the applicant would be required to prepare a stormwater pollution prevention plan for approval by the City prior to issuance of grading permit. These plans would identify site-specific best management practices (BMPs) to be implemented with the proposed development in order to prevent erosion, minimize siltation from impacting downstream water bodies, and protect water quality (Mitigation Measure GEO-1). In addition, construction of the proposed project would be required to demonstrate compliance with the recommendations outlined in the updated geotechnical report; refer to Appendix E.

Implementation of the project would occur in compliance with such plans and grading standards, including Mitigation Measure GEO-1, as discussed above. With such compliance, project impacts with regard to soil erosion or the loss of topsoil are considered to be less than significant with mitigation incorporated.

MITIGATION MEASURES

GEO-1 In accordance with National Pollutant Discharge Elimination System (NPDES) requirements, the project applicant shall prepare a stormwater pollution prevention plan (SWPPP) for approval by the City prior to grading activities. The SWPPP will include relevant best management practices (BMPs) in order to minimize soil erosion and water quality impacts during project construction.

c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?* ***Determination: Less Than Significant Impact.***

Lateral spreading is a phenomenon in which large blocks of intact, non-liquefied soil move down a slope on a liquefied soil layer. Lateral spreading is often a regional event. For lateral spreading to occur, the liquefiable soil zone must be laterally continuous, unconstrained laterally, and free to move along sloping ground. Project construction is not anticipated to induce lateral spreading. As noted above, while liquefaction risk is present on the project site, the proposed project would be designed and constructed in conformance with the CBC seismic engineering standards as well as with City of Temecula grading standards. In addition, construction of the proposed project would be required to demonstrate compliance with the recommendations outlined in the updated geotechnical report; refer to Appendix E.

As the preventive steps will be undertaken during project design as noted above, impacts associated with ground failure, including landslides, liquefaction, lateral spreading, and settlement, are considered to be less than significant with project compliance with the CBC and applicable local codes and building standards. Refer also to Responses 3.6(a)(ii) through 3.6(a)(iv), above, for additional discussion. Project impacts relative to unstable geologic units or soils would be less than significant.

d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?* ***Determination: Less Than Significant Impact.***

Expansive soils are those that undergo volume changes as moisture content fluctuates, swelling substantially when wet or shrinking when dry. Soil expansion can damage structures by cracking foundations, causing settlement, and distorting structural elements. Project construction would be implemented based on the recommendations of a geotechnical engineer, as part of the final design process. The geotechnical report completed for the proposed project noted that the soils underlying the project site have been designated as low/very low expansive potential as determined by ASTM D4829. All Project grading and structures and infrastructure constructed on the site would conform to State regulations, including the 2016 (or most recent) CBC and Temecula Municipal Code requirements related to unstable geologic units and soils. As such, impacts would be less than significant.

e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?* ***Determination: No Impact****.*

The proposed project does not propose the installation of septic tanks or alternative wastewater disposal systems, and instead would have a sewer service connection from Eastern Municipal Water District. No impacts would occur.

3.7 GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
7. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☑	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☑	☐

GLOBAL CLIMATE CHANGE

California is a substantial contributor of global greenhouse gases (GHGs), emitting over 450 million tons of carbon dioxide (CO_2) in 2013 (California Environmental Protection Agency 2015). Climate studies indicate that California is likely to see an increase of 3 to 4 degrees Fahrenheit over the next century. Methane (CH_4) is also an important GHG that potentially contributes to global climate change. GHGs are global in their effect, which is to increase the earth's ability to absorb heat in the atmosphere. As primary GHGs have a long lifetime in the atmosphere, accumulate over time, and are generally well-mixed, their impact on the atmosphere is mostly independent of the point of emission.

The impact of human activities on global climate change is apparent in the observational record. Air trapped by ice has been extracted from core samples taken from polar ice sheets to determine the global atmospheric variation of CO_2, CH_4, and nitrous oxide (N_2O) from before the start of industrialization (approximately 1750) to over 650,000 years ago. For that period, it was found that CO_2 concentrations ranged from 180 to 300 parts per million. For the period from approximately 1750 to the present, global CO_2 concentrations increased from a pre-industrialization period concentration of 280 to 379 parts per million in 2005, with the 2005 value far exceeding the upper end of the pre-industrial period range.

REGULATIONS AND SIGNIFICANCE CRITERIA

The Intergovernmental Panel on Climate Change (IPCC) developed several emission trajectories of GHGs needed to stabilize global temperatures and climate change impacts. It concluded that a stabilization of GHGs at 400 to 450 parts per million CO_2 equivalent (CO_2eq) concentration is required to keep global mean warming below 2 degrees Celsius, which in turn is assumed to be necessary to avoid significant levels of climate change.[3]

Executive Order S-3-05 was issued in June 2005, which established the following GHG emission reduction targets:

- 2010: reduce GHG emissions to 2000 levels
- 2020: reduce GHG emissions to 1990 levels
- 2050: reduce GHG emissions to 80 percent below 1990 levels

Additionally, issued in April 2015, Executive Order B-30-15 requires statewide GHG emissions to be reduced 40 percent below 1990 levels by 2030. Assembly Bill 32 (AB 32) requires that the California Air

[3] Carbon dioxide equivalent is a metric measure used to compare the emissions from various greenhouse gases based on their global warming potential.

Resources Board determine what the statewide GHG emissions level was in 1990, and approve a statewide GHG emissions limit that is equivalent to that level, to be achieved by 2020. CARB has approved a 2020 emissions limit of 431 million metric tons (MT) of CO_2eq ($MTCO_2$eq).

Due to the nature of global climate change, it is not anticipated that any single development project would have a substantial effect on global climate change. In actuality, GHG emissions from the proposed project would combine with emissions emitted across California, throughout the United States, and around the world to cumulatively contribute to global climate change.

In June 2008, the California Governor's Office of Planning and Research published a Technical Advisory, which provides informal guidance for public agencies as they address the issue of climate change in CEQA documents. This is assessed by determining whether a proposed project is consistent with or obstructs the 39 recommended actions identified by CARB in its Climate Change Scoping Plan, which includes nine early action measures (qualitative approach). The Attorney General's Mitigation Measures identify areas where GHG emissions reductions can be achieved in order to achieve the goals of AB 32. As set forth in the California Governor's Office of Planning and Research Technical Advisory and in the proposed amendments to CEQA Guidelines Section 15064.4, this analysis examines whether the proposed project's GHG emissions are significant based on a qualitative and performance-based standard (proposed CEQA Guidelines Section 15064.4(a)(1) and (2)).

South Coast Air Quality Management District Thresholds

On December 5, 2008, the SCAQMD adopted GHG significance thresholds for Stationary Sources, Rules, and Plans where the SCAQMD is the lead agency. The threshold uses a tiered approach. A project is compared with the requirements of each tier sequentially and would not result in a significant impact if it complies with any tier. Tier 1 excludes projects that are specifically exempt from Senate Bill 97 from resulting in a significant impact. Tier 2 excludes projects that are consistent with a GHG reduction plan that has a certified final CEQA document and complies with AB 32 GHG reduction goals. Tier 3 excludes projects with annual emissions lower than a screening threshold. For industrial stationary source projects, the SCAQMD adopted a screening threshold of 10,000 $MTCO_2$eq per year ($MTCO_2$eq/yr). This threshold was selected to capture 90 percent of the GHG emissions from these types of projects where the combustion of natural gas is the primary source of GHG emissions. The SCAQMD concluded that projects with emissions less than the screening threshold would not result in a significant cumulative impact. Tier 4 consists of three decision tree options. Under the first option, the proposed project would be excluded if design features and/or mitigation measures resulted in emissions 30 percent lower than business-as-usual (BAU) emissions. Under the second option, the proposed project would be excluded if it had early compliance with AB 32 through early implementation of CARB's Climate Change Scoping Plan measures. Under the third option, the proposed project would be excluded if it met sector-based performance standards. However, the specifics of the Tier 4 compliance options were not adopted by the SCAQMD Board in order to allow further time to develop the options and coordinate with CARB's GHG significance threshold development efforts. Tier 5 would exclude projects that implement off-site mitigation (GHG reduction projects) or purchase offsets to reduce GHG emission impacts to less than the proposed screening level.

While not adopted by the SCAQMD Board, the guidance document prepared for the stationary source threshold also suggested the same tiered approach for residential and commercial projects with a 3,000 $MTCO_2$eq/yr screening threshold. However, at the time of adoption of the industrial stationary source threshold, the SCAQMD felt additional analysis was required along with coordination with CARB's GHG significance threshold development efforts.

At the November 2009 meeting of the SCAQMD GHG working group, SCAQMD staff presented two options for screening thresholds for residential and commercial projects. The first option would have

different thresholds for specific land uses. The proposed threshold for residential projects is 3,500 $MTCO_2eq/yr$, the commercial threshold is 1,400 $MTCO_2eq/yr$, and the mixed-use threshold is 3,000 $MTCO_2eq/yr$. The second option would apply the 3,000 $MTCO_2eq/yr$ screening threshold for all commercial/residential projects. Lead agencies would be able to select either option. These thresholds are based on capturing 90 percent of the emissions from projects and requiring them to comply with the higher tiers of the threshold (i.e., performance requirements or GHG reductions outside of the project) to not result in a significant impact.

SCAQMD staff also presented updates for compliance options for Tier 4 of the significance thresholds. The first option would be a reduction of 23.9 percent in GHG emissions over the base case. This percentage reduction represents the land use sector portion of CARB's Climate Change Scoping Plan's overall reduction of 28 percent. This target would be updated as the AB 32 Climate Change Scoping Plan is revised. The base-case scenario for this reduction still needs to be defined. Residual emissions would need to be less than 25,000 $MTCO_2eq/yr$ to comply with the option. Staff proposed efficiency targets for the third option of 4.6 $MTCO_2eq/yr$ per service population (population plus employment) for project-level analyses and 6.6 $MTCO_2eq/yr$ for plan-level analyses. For project-level analyses, residual emissions would need to be less than 25,000 $MTCO_2eq/yr$ to comply with this option.

At the most recent meeting of the SCAQMD GHG working group (held on September 28, 2010), SCAQMD staff recommended extending the 10,000 $MTCO_2eq/yr$ industrial project threshold for use by all lead agencies. The two options for land use thresholds were reiterated with a recommendation that lead agencies use the second, 3,000 $MTCO_2eq/yr$ threshold for all non-industrial development projects. Staff indicated that they would not be recommending a specific approach to address the first option of Tier 4, Percent Emissions Reduction Target. If lead agencies inquire about using this approach, staff will reference the approach recommended by the San Joaquin Valley Air Pollution Control District and describe the challenges to using this approach. For the third option of Tier 4, SCAQMD staff recalculated the recommended Tier 4 efficiency targets for project-level analyses to 4.8 $MTCO_2eq/yr$ in 2020 and 3.0 $MTCO_2eq/yr$ in 2035. The recommended plan level analysis efficiency target remains 6.6 $MTCO_2eq/yr$ for 2020, but was lowered to 4.1 $MTCO_2eq/yr$ for 2035. SCAQMD staff also stated that they are no longer proposing to include a 25,000 $MTCO_2eq/yr$ maximum emissions requirement for compliance with Tier 4. Staff indicated that they hoped to bring the proposed GHG significance thresholds to the Board for their December 2010 meeting; however, this did not occur.

For the proposed project, the 3,000 $MTCO_2eq/yr$ non-industrial screening threshold is used as the significance threshold in addition to the qualitative thresholds of significance set forth below from Section VII of CEQA Guidelines Appendix G.

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ***Determination: Less Than Significant Impact****.*

The proposed project would result in direct and indirect emissions of CO_2, CH_4, and N_2O and would not result in other GHGs that would facilitate a meaningful analysis. Therefore, this analysis focuses on these three forms of GHG emissions. Direct proposed project-related GHG emissions include emissions from construction activities, area sources, and mobile sources, while indirect sources include emissions from electricity consumption, water demand, and solid waste generation. Operational GHG estimations are based on energy emissions from natural gas usage and automobile emissions. The California Emissions Estimator Model (CalEEMod) relies on trip generation rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual and project-specific land use data to calculate emissions. The proposed project includes the development of a high turnover sit-down restaurant. Therefore, Table 3.7-1, *Estimated*

Greenhouse Gas Emissions, presents the estimated CO_2, CH_4, and N_2O emissions of the proposed project. The CalEEMod outputs are contained in Appendix A, *Air Quality/Greenhouse Gas Data*.

Table 3.7-1: Estimated Greenhouse Gas Emissions

Source	CO_2	CH_4		N_2O		Total
	MT/yr[1]	MT/yr[1]	$MTCO_2eq/yr$[2]	MT/yr[1]	$MTCO_2eq/yr$[2]	$MTCO_2eq/yr$[3]
Construction (amortized over 30 years)	4.79	0.00	0.02	0.00	0.00	4.81
Area Source	0.00	0.00	0.00	0.00	0.00	0.00
Mobile Source	1,067.15	0.04	1.01	0.00	0.00	1,067.99
Energy	398.54	0.01	0.33	0.01	1.63	400.53
Water Demand	17.23	0.13	3.33	0.00	0.96	21.04
Waste	32.30	1.91	47.72	0.00	0.00	72.38
Total Anticipated Project-Related Emissions[3]	***1,566.75 $MTCO_2eq/yr$***					

Notes:
1. Emissions calculated using California Emissions Estimator Model (CalEEMod).
2. Carbon dioxide equivalent values calculated using the US Environmental Protection Agency website, Greenhouse Gas Equivalencies Calculator, http://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator, accessed March 28, 2016.
3. Totals may be slightly off due to rounding. Due to rounding, the results given by the equation calculations used in the Greenhouse Gas Equivalencies Calculator, may not return the exact results shown in CalEEMod.

Refer to Appendix A, *Air Quality/Greenhouse Gas Data*, for detailed model input/output data.

DIRECT PROPOSED PROJECT-RELATED SOURCES OF GREENHOUSE GASES

- Construction Emissions. Construction GHG emissions are typically summed and amortized over the lifetime of a project (assumed to be 30 years), then added to the operational emissions.[4] As seen in Table 3.7-1, the proposed project would result in 4.81 $MTCO_2eq/yr$ (amortized over 30 years).
- Area Source. Area source emissions were calculated using CalEEMod and project-specific land use data. As noted in Table 3.7-1, the proposed Project would result in 0.00 $MTCO_2eq/yr$ (negligible) of area source GHG emissions.
- Mobile Source. CalEEMod relies on trip generation rates from the ITE Trip Generation Manual and project-specific land use data to calculate mobile source emissions. The proposed project would directly result in 1,067.99 $MTCO_2eq/yr$ of mobile source-generated GHG emissions; refer to Table 3.7-1.

INDIRECT PROPOSED PROJECT-RELATED SOURCES OF GREENHOUSE GASES

- *Energy Consumption*. Energy consumption emissions were calculated using CalEEMod and project-specific land use data. Southern California Edison would provide electricity to the project site. The proposed project would indirectly result in 400.53 $MTCO_2eq/yr$ due to energy consumption; refer to Table 3.7-1.
- *Water Demand*. The proposed project's operations would result in a demand of approximately 4.32 million gallons of water per year. Emissions from indirect energy impacts due to water supply would result in 21.04 $MTCO_2eq/yr$; refer to Table 3.7-1.

[4] The project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-13/ghg-meeting-13-minutes.pdf?sfvrsn=2).

- *Solid Waste*. Solid waste associated with operations of the proposed project would result in 72.38 $MTCO_2eq/yr$; refer to Table 3.7-1.

TOTAL PROPOSED PROJECT-RELATED SOURCES OF GREENHOUSE GASES

As shown in Table 3.7-1, the total amount of project-related GHG emissions from direct and indirect sources combined would total 1,566.75 $MTCO_2eq/yr$. Although the proposed project's GHG emissions are below the 3,000 $MTCO_2eq/yr$ GHG threshold, the proposed project includes design features that would further reduce project-related GHG emissions. The proposed project would comply with Title 24 requirements as well as the latest California Green Building Code (CALGreen) standards, which would result in lower emissions than depicted in Table 3.7-1. Therefore, the proposed project would result in a less than significant impact with regard to GHG emissions.

b) *Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?* ***Determination: Less Than Significant Impact****.*

The City of Temecula participated in the Western Riverside Council of Governments (WRCOG) Subregional Climate Action Plan (CAP) and the Western Riverside Energy Leader Partnership Energy Action Plan to gain knowledge and lend support in the effort to slow the effects of climate change. The CAP sets forth subregional emissions reduction targets, emissions reduction measures, and action steps to assist each community in demonstrating consistency with California's Global Warming Solutions Act of 2006 (AB 32). Additionally, the City of Temecula Sustainability Plan was adopted in June 2010 to address sustainability and climate change goals. The Sustainability Plan incorporates several goals for reducing greenhouse gases, energy, and water use, planning intelligently for growth, reducing waste, and championing emerging technologies (Temecula 2010, p. 5). The project would be required to demonstrate compliance with the applicable sustainability goals outlined in the Sustainability Plan in order to reduce the city's energy consumption and greenhouse gas production during the City's Building Permit plan check process. Compliance with these goals would ensure the proposed project does not conflict with an adopted plan, policy, or regulation pertaining to GHGs. Also, the proposed project would result in operational GHG emissions that are below the 3,000 $MTCO_2eq/yr$ threshold. Thus, a less than significant impact would occur in this regard.

3.8 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
8. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☑	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☑	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☑
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☑
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☑
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☑
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☑	☐
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☑	☐

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ***Determination: Less Than Significant Impact.***

The routine transport, use, and disposal of hazardous materials can result in hazards to the public through the potential for accidental release. Such hazards are typically associated with certain types of land uses, such as chemical manufacturing facilities, industrial processes, waste disposal, and storage and distribution facilities.

Construction of the proposed project may result in temporary hazards related to transport and use of hazardous materials, including those used for construction vehicle use and maintenance (i.e., diesel fuel, motor oil, etc.). During project construction, contractors would be required to uphold standard best management practices to ensure that all hazardous materials are stored, transported, and disposed of in accordance with federal and state law. Conformance with these standards would effectively avoid and minimize significant hazards related to the transport, use, and disposal of hazardous materials and would reduce the project's impacts to less than significant levels.

The construction-related impacts identified above would be temporary in nature, as project operation would not involve a land use creating a significant hazard to the environment due to the routine transport, use, or disposal of hazardous materials. As such, no operational impacts are identified.

b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?* ***Determination: Less Than Significant Impact.***

Refer to Impact 3.8(a), above. During the short-term construction period, there is the possibility of accidental release of hazardous substances such as spilling of petroleum-based fuels, lubricants, and other materials used for construction equipment. During construction of the proposed project, contractors would be required to use standard construction safety procedures and controls that would avoid and minimize the potential for accidental release of hazardous substances into the environment. Standard construction best management practices must be observed such that any hazardous materials released are appropriately contained and remediated as required by local, state, and federal law. Conformance with these standards would reduce impacts related to the accidental release of hazardous materials into the environment to less than significant levels.

c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?* ***Determination: No Impact.***

There are no existing or proposed schools located within one-quarter mile of the project site. Additionally, as stated in Impact 3.8(a), the proposed project would not involve the routine use of hazardous materials. No impacts would occur in this regard.

d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?* ***Determination: No Impact.***

Refer to Impact 3.8(b), above. According to the California Department of Toxic Substances Control (2015) EnviroStor database, there are no listed hazardous sites identified within or immediately adjacent to the proposed project site. In addition, a Phase I Environmental Assessment was prepared for the proposed project to identify the site's potential to include existing hazardous substances. The Phase I Environmental Assessment did not identify evidence of hazardous substances or potential environmental concerns associated with the project site or its adjacent properties; refer to Appendix F, *Phase I Environmental Assessment*. No impacts would occur in this regard.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area? ***Determination: No Impact.***

French Valley Airport is a Riverside County–owned public-use airport located on State Route (SR) 79, north of Temecula in its Sphere of Influence, and adjacent to the City of Murrieta's eastern city boundary. The Riverside County Airport Land Use Compatibility Plan establishes policies applicable to land use compatibility planning in the vicinity of airports throughout Riverside County. The proposed project site is located approximately 6.5 miles south of French Valley Airport and is located beyond the French Valley Airport land use influence area. The project is not located within any compatibility zones identified in the Riverside County Airport Land Use Compatibility Plan. Therefore, no impacts would occur.

f) For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area? ***Determination: No Impact.***

According to the Federal Aviation Administration's (2015) airport database, there are two private airports proximate to the project site. The Billy Joe Airport is located approximately 3.8 miles northeast of the project site, and the Blackwater Heliport is located over 5 miles to the east of the project site. Neither of these airports would be impacted by the construction or operation of the proposed project. Therefore, no impacts would occur.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ***Determination: Less Than Significant Impact***

While the proposed project will minimally impact traffic flow during the temporary construction period, it would not conflict with or interfere with emergency evacuation of the project area. It is not anticipated that project construction would substantially interfere with traffic circulation. Further, the project would add a negligible number of additional trips to Pechanga Parkway and the surrounding roadways. As such, these roadways would continue to function as emergency access routes if necessary. No revisions to an adopted emergency plan would be required as a result of the proposed project.

h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? ***Determination: Less Than Significant Impact.***

The proposed project would be developed on an existing disturbed parcel devoid of any natural vegetation and which has been subject to ongoing City weed abatement activities. However, the project site is adjacent to open space along its northern boundary and is therefore potentially susceptible to wildland or grassland fires.

According to the California Department of Forestry and Fire Protection (2007) Fire and Resource Assessment Program (FRAP) map, the project site is designated as a local responsibility area. The City of Temecula Geographic Information System does not designate the project site or any of the surrounding area as a high fire area. In addition, the project applicant will be required to demonstrate full compliance with the City's applicable development standards and California Building Code requirements to minimize the risk of fire exposure. These may include, but are not limited to, fuel modification requirements, provision of irrigation, adequacy of water supply and pressure, adequacy of access and lighting, etc. The project applicant will also install fire protection sprinkler systems in compliance with existing state regulations, which the City will enforce through its building and occupancy permit process. As such, impacts would be less than significant.

3.9 HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
9. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☑	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☑	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☑	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☑	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☑	☐
f) Otherwise substantially degrade water quality?	☐	☐	☑	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☑
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☑	☐
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☑	☐
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☑

Would the project:

a) *Violate any water quality standards or waste discharge requirements?* ***Determination: Less Than Significant Impact with Mitigation Incorporated.***

Surface water quality is subject to federal, state, and local water quality requirements administered and enforced by the US Environmental Protection Agency (USEPA), the California State Water Resources Control Board (SWRCB), and the Regional Water Quality Control Board (RWQCB) with cooperation from each county. The principal law governing pollution of the nation's surface waters is the Clean Water Act (formerly the Federal Water Pollution Control Act). Under the Clean Water Act, regulatory requirements for industrial and municipal dischargers were set, as well as requirements for states to adopt water quality standards.

To achieve its objectives, the Clean Water Act is based on the concept that all discharges into the nation's water are unlawful, unless specifically authorized by a permit. The National Pollutant Discharge Elimination System (NPDES) is the permitting program for discharge of pollutants into waters of the United States under Section 402 of the Clean Water Act. To accomplish this, the RWQCB requires the issuance of a General Construction Permit. The permit is required for discharges from construction sites that are 1 acre or larger and from discharges on smaller sites that are part of a larger common plan of development or sale. The Construction Permit includes effluent limits for erosion and sediment control, pollution prevention, and site stabilization from the Construction and Development Effluent Guidelines and Standards regulations. Through these permits, levels of erosion, sediment, and other constituents are regulated to ensure that water quality standards are met on project sites. In order to comply with these permit requirements, a project must submit a stormwater pollution prevention plan (SWPPP) outlining the site protocols that will be implemented to reduce stormwater pollution impacts; refer to Mitigation Measure GEO-1. Mitigation Measure GEO-1 would also identify site-specific best management practices (BMPs) to be implemented with the proposed project in order to prevent erosion, minimize siltation from impacting downstream water bodies, and protect water quality.

On-site construction staging would occur during development of the proposed project. Any residual oil, grease, and other fuel products from equipment would be maintained on-site and would not affect surface waters. Equipment would be inspected and maintained on a regular basis in order to ensure that leaks of hazardous materials do not occur. Therefore, leaks of oil, grease, and other fuel products from equipment are expected to be negligible and would not affect surface water or groundwater.

Once constructed, the project would be required to develop and comply with a Water Quality Management Plan in order to reduce potential runoff and erosion to the greatest degree possible on the project site. As noted in Section 2.0, *Project Description*, the project includes the construction of four water quality basins to infiltrate water on the site in order to reduce peak flows during storm events; refer to Exhibit 4, *Project Landscape Plan*. These basins include on-site infiltration and consequently reduce peak flows and erosion adjacent to the project site.

Through compliance with the General Permit through implementation of Mitigation Measure GEO-1 during the construction phases and a WQMP during the operational phases of the project, impacts will be less than significant with mitigation incorporated. Operation of the proposed project would not violate any water quality standards or waste discharge requirements because of the strict requirements and regulations discussed above with which the project would be required to comply during operation.

MITIGATION MEASURES

GEO-1 Refer to Impact 3.6(b).

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? ***Determination: Less Than Significant Impact****.*

The Rancho California Water District (RCWD) would provide water for the project. The project applicant would be required to obtain a "will-serve" letter from the district prior to construction of the proposed project. This letter would also demonstrate compliance with City of Temecula General Plan Policy 6.1, which requires landowners to demonstrate that an available water supply exists or will be provided to serve proposed development prior to issuance of building permits. As such, groundwater pumping would not occur on the project site. The RCWD would extensively review the project prior to approval. Upon receipt of the project application, the district will review the project further and provide requirements for obtaining service, which include but are not limited to:

1. Review of the project within the context of existing infrastructure;
2. Evaluation of the project's preliminary design and points of connection; and
3. Formal Application for Service detailing applicable fees and deposits to proceed with RCWD-approved service connections.

The small size of the proposed project and the inclusion of infiltration basins as part of the project would result in negligible depletion of groundwater due to reduced infiltration. Due to the small size of the proposed project and the limited water supplies that it would necessitate, impacts would be less than significant in this regard.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? ***Determination: Less Than Significant Impact.***

The project would convert an existing vacant lot to a developed area with pavement, rooftop, drainage areas, and landscaping. As discussed in Impact 3.9(a) above, the project would collect stormwater from impervious areas and direct it to four infiltration basins located within the site to recharge stormwater; refer to Exhibit 4. Appropriate erosion control measures will be implemented during construction to prevent surface runoff from entering footing excavations, ponding on finished building pad or pavement areas, or running uncontrolled over the tops of newly constructed cut or fill slopes. As required by the City and the RWQCB, appropriate best management practices (BMPs) will be provided in accordance with local and federal governing agencies. Although the site is adjacent to Temecula Creek, the project would have minimal impact on the drainage pattern of the creek. Therefore, impacts would be less than significant.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? ***Determination: Less Than Significant Impact.***

As noted above, the project site is relatively flat and generally devoid of existing structures. The project site does border Temecula Creek; however, as proposed the project would have minimal impact on the Creek and its drainage pattern, as the project design generally avoids the Creek.

The project would be required to develop a Water Quality Management Plan as well as a SWPPP prior to the beginning of construction. These measures would reduce the off-site runoff associated with the proposed project and would ensure that measures are implemented to reduce erosion and sedimentation surrounding the project site. Furthermore, the project is limited to a generally small site footprint, which would reduce the surface runoff generated by the project. Furthermore, the project is required to include on-site water quality basins that provide filtration and percolation opportunities on the project site. The project, as designed, provides four water quality basins to ensure the flows from the project site mimic those of predevelopment conditions in both discharge quantity and water quality; refer to Exhibit 4.

As such, the project would have less than significant impacts related to flooding on- and off-site.

e) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?* ***Determination: Less Than Significant Impact.***

The proposed project includes the construction of structures as well as the installation of increased areas of impervious surfaces. This construction would result in a negligible increase in stormwater runoff. The project also contains areas of pervious surface in order to facilitate infiltration of runoff in landscape areas. The installation of retention basins and a combination of impervious and pervious surfaces is to ensure that the pre- and post-development runoff quantities are similar. This process is completed to ensure that downstream uses will not be flooded or have water supplies reduced due to project implementation. Because of the minimal runoff anticipated on the project site and the use of design elements to improve infiltration of water on the site, substantial polluted runoff would not occur as a result of the project. Therefore, impacts would be less than significant.

f) *Otherwise substantially degrade water quality?* ***Determination: Less Than Significant Impact.***

Refer to Impacts 3.9(a) and 3.9(e) above. With the implementation of BMPs and compliance with established regulations, the project is not expected to substantially degrade water quality. Thus, a less than significant impact would occur.

g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?* ***Determination: No Impact****.*

The project would not involve the development or placement of any housing. Therefore, housing units would not be developed or placed within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. No impact would occur.

h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows?* ***Determination: Less Than Significant Impact****.*

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Program, the proposed project would be developed within a Special Flood Hazard Area for the 100-year flood zone. The site is located within the boundaries of the 100-year Flood Zone (Temecula 2005a, Figure PS-2). However, due to the project site's location, the project would not impede or redirect flood flows. As currently designed, the restaurant building would be completely outside of the 100-year floodplain and would have a slab elevation 4.5 feet above the 100-year flood elevation. The only components included in the floodplain are the parking lot and three of the four water quality basins. A less than significant impact would occur.

i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam? ***Determination: Less Than Significant Impact.***

As described in Impact 3.8(h) above, the project is located within a FEMA Special Flood Hazard area for the 100-year flood zone. However, as currently designed, the restaurant building would be completely outside of the 100-year floodplain and would have a slab elevation 4.5 feet above the 100-year flood elevation. The only components included in the floodplain are the parking lot and three water quality basins.

In regard to levee or dam failure, the project site is downstream of three reservoirs—Diamond Valley Lake, Vail Lake, and Lake Skinner. While potential accidental release could impact the project site, as noted in the City of Temecula General Plan EIR, with incorporation of state and federal regulations, in conjunction with the City of Temecula Multi-Hazard Functional Plan, impacts would be less than significant. As such, a less than significant impact would occur.

j) Inundation by seiche, tsunami, or mudflow? ***Determination: No Impact.***

Because of the distance of the proposed project site from the ocean and local large bodies of water, including Lake Skinner (located over 8 miles to the northeast) and Vail Lake (located over 8 miles to the east), the possibility of seiches and tsunamis impacting the project area is considered to be remote. Further, due to the gently sloping nature of the proposed project site, the risk of mudflows and seiches is considered to have a very low risk potential for damage. No impacts would occur.

3.10 LAND USE AND PLANNING

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
10. LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?	☐	☐	☐	☑
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☑	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☑	☐

Would the project:

a) Physically divide an established community? ***Determination: No Impact****.*

The project would involve development that would be consistent with the land uses that border the project site's southern boundary. The project site is a currently vacant lot in a Planned Development Overlay (PDO-1) zoning district. The project would not physically divide an established community because it would use an existing privately owned parcel that is already inaccessible for pedestrian or vehicular through traffic. The project would add no additional barriers to those that already exist. As such, project development would be consistent with this land use and would not divide an established community. No impact would occur in this regard.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? ***Determination: Less Than Significant Impact.***

As described above, the project would be located on a parcel zoned as Planned Development Overlay (PDO-1). The PDO-1 zone is intended to provide regulations for the safe and efficient operation, and creative design of a unique commercial area in the city. The area is significantly constrained with easements, floodplains, potential fault zones, and adjacent residential development. This PDO zoning district regulation is intended to permit a range of neighborhood convenience uses, with selected outdoor storage and other appropriate rural-serving commercial uses (Temecula, n.d.). The project is expected to be consistent in use, design, and scale with other structures in the PDO-1 zone. Less than significant impacts would occur.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan? ***Determination: Less Than Significant Impact****.*

As noted in Section 3.4, *Biological Resources*, the proposed project is located in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), specifically Criteria Cell 7445. MSHCP Criteria Cell 7445 is focused on preserving riparian habitat and jurisdictional waters along Pechanga and Temecula Creeks. As currently designed, the project would not impact riparian/riverine habitat. Additionally, a less than significant impact would occur with the

implementation of the design and setback standards required in Temecula Municipal Code Section 17.22.108, as described below.

> All development within PDO-1 shall comply with the following supplemental buffering requirements:
>
> 1. When adjacent to residential uses: a transitional landscaped area, not less than five feet in width shall be installed. The landscaping shall include (at a minimum) trees, shrubs, and appropriate ground cover and should be located outside of the walls used to screen these commercial uses;
> 2. When adjacent to Temecula Creek: an additional transitional landscaped area, outside of any fences or walls, not less than five feet shall be installed and shall be planted with appropriate native tree and shrub plant species commonly found within Southern California riparian areas. Temporary irrigation may be required to ensure plant establishment.

As currently designed, the project would comply with the design and setback standards identified under Municipal Code Section 17.22.108. With the implementation of Municipal Code Section 17.22.108 standards, conflicts with applicable habitat conservation plans or natural community conservations plans would be less than significant.

3.11 MINERAL RESOURCES

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
11. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☑	☐
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☑	☐

Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? ***Determination: Less Than Significant Impact.***

The State Mining and Geology Board (SMGB) has established Mineral Resources Zones (MRZs) to designate lands that contain mineral deposits. The classifications used by the State to define MRZs are as follows:

- MRZ-1: Areas where the available geologic information indicates no significant likelihood of significant mineral deposits.
- MRZ-2a: Areas where the available geologic information indicates that there are significant mineral deposits.
- MRZ-2b: Areas where the available geologic information indicates that there is a likelihood of significant mineral deposits.
- MRZ-3a: Areas where the available geologic information indicates that mineral deposits exist, however, the significance of the deposit is undetermined.
- MRZ-3b: Areas where the available geologic information indicates that mineral deposits are likely to exist, however, the significance of the deposit is undetermined.
- MRZ-4: Areas where there is not enough information available to determine the presence of a known mineral deposit.

The project site is located in an area classified as MRZ-3a. MRZ-3 areas contain sedimentary deposits that could potentially supply sand and gravel for concrete uses and crushed stone for aggregate. However, MRZ-3a areas are not considered to possess economic value. Additionally, the State (California Department of Conservation 2013) has not identified the project site as having mineral resources that could be of value to the region and residents of the State. As such, a less than significant impact would occur.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? ***Determination: Less Than Significant Impact.***

Refer to Impact 3.11(a). The City of Temecula General Plan designates the project site as MRZ-3a. The project is not forecast to result in the loss of availability of a locally important mineral resource recovery site. Less than significant impacts would occur.

3.12 NOISE

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
12. NOISE – Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☑	☐	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☑	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☑	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☑	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, exposure of people residing or working in the project area to excessive noise levels?	☐	☐	☐	☑
f) For a project within the vicinity of a private airstrip, exposure of people residing or working in the project area to excessive noise levels?	☐	☐	☐	☑

Sound is mechanical energy transmitted by pressure waves in a compressible medium such as air, and is characterized by both its amplitude and frequency (or pitch). The human ear does not hear all frequencies equally. In particular, the ear de-emphasizes low and very high frequencies. To better approximate the sensitivity of human hearing, the A-weighted decibel scale (dBA) has been developed. On this scale, the human range of hearing extends from approximately 3 dBA to around 140 dBA.

Noise is generally defined as unwanted or excessive sound, which can vary in intensity by over one million times within the range of human hearing; therefore, a logarithmic scale, known as the decibel scale (dB), is used to quantify sound intensity. Noise can be generated by a number of sources, including mobile sources such as automobiles, trucks, and airplanes, and stationary sources such as construction sites, machinery, and industrial operations. Noise generated by mobile sources typically attenuates (is reduced) at a rate between 3 dBA and 4.5 dBA per doubling of distance. The rate depends on the ground surface and the number or type of objects between the noise source and the receiver. Hard and flat surfaces, such as concrete or asphalt, have an attenuation rate of 3 dBA per doubling of distance. Soft surfaces, such as uneven or vegetated terrain, have an attenuation rate of about 4.5 dBA per doubling of distance. Noise generated by stationary sources typically attenuates at a rate between 6 dBA and about 7.5 dBA per doubling of distance.

A number of metrics are used to characterize community noise exposure, which fluctuates constantly over time. One such metric, the equivalent sound level (L_{eq}), represents a constant sound that, over the

specified period, has the same sound energy as the time-varying sound. Noise exposure over a longer period of time is often evaluated based on the Day-Night Sound Level (L_{dn} or DNL). This is a measure of 24-hour noise levels that incorporates a 10-dBA penalty for sounds occurring between 10:00 p.m. and 7:00 a.m. The penalty is intended to reflect the increased human sensitivity to noises occurring during nighttime hours, particularly at times when people are sleeping and there are lower ambient noise conditions. Typical L_{dn} noise levels for light- and medium-density residential areas range from 55 dBA to 65 dBA.

City of Temecula General Plan

The Noise Element of the Temecula General Plan establishes noise/land use compatibility guidelines based on cumulative noise criteria for outdoor noise. Table 3.12-1, *Land Use Compatibility for Community Noise Environments,* outlines these criteria and depicts the City's guidelines (based on state guidelines established by the Office of Planning and Research) for acceptable noise levels for each land use category. These standards and criteria are incorporated into the land use planning process to reduce future noise and land use incompatibilities. These guidelines help the City ensure integrated planning for compatibility between land uses and outdoor noise.

Table 3.12-1. Land Use Compatibility for Community Noise Environments

Land Use Category	Community Noise Exposure (L_{dn} or CNEL)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential	50–60	55–70	70–75	75–85
Transient Lodging – Motel, Hotels	50–60	60–70	70–80	80–85
Schools, Libraries, Churches, Hospitals, Nursing Homes	50–60	60–70	70–80	80–85
Auditoriums, Concert Halls, Amphitheaters	NA	50–70	NA	70–85
Sports Arenas, Outdoor Spectator Sports	NA	50–75	NA	75–85
Playgrounds, Neighborhood Parks	50–70	NA	70–75	75–85
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50–70	NA	70–80	80–85
Office Buildings, Business Commercial and Professional	50–65	65–75	75–85	NA
Industrial, Manufacturing, Utilities, Agriculture	50–70	70–80	75–85	NA
Ldn = Day/Night Average; CNEL = community noise equivalent level; NA = not applicable				
NORMALLY ACCEPTABLE: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements. CONDITIONALLY ACCEPTABLE: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features have been included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning, will normally suffice. NORMALLY UNACCEPTABLE: New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise-insulation features must be included in the design. CLEARLY UNACCEPTABLE: New construction or development should generally not be undertaken.				
Source: Temecula 2005a, Noise Element, Table N-2				

According to the City's Noise Element, major arterials (such as Winchester Road, Margarita Road, Ynez Road, Rancho California Road, and Pechanga Parkway), as well as Interstate 15 (I-15), represent the major sources of noise.

City of Temecula Noise Control Ordinance

The City has adopted the County of Riverside Noise Control Ordinance (No. 457.73), which establishes interior and exterior noise standards for residential areas. The ordinance provides controls for excessive and annoying noise from stationary sources such as industrial plants, pumps, compressors, and refrigeration units. In addition, specific noise standards for daytime and nighttime hours are established.

Certain noise sources are prohibited, and the ordinance establishes an enforcement process. Section 9.20.040, General Sound Level Standards, of the City's Municipal Code sets the noise standards and land use compatibility standards in the City's General Plan, as described above.

Municipal Code Section 9.20.060(D), Special Sound Sources Standards, prohibits construction activities between the hours of 6:30 p.m. and 7:00 a.m., Monday through Saturday. No construction activity is allowed on Sundays or on national holidays unless exempted by Section 9.20.070 of the Temecula Municipal Code.

Exceptions may be requested from the standards set forth in Sections 9.20.040, General Sound Standards, or 9.20.060, Special Sound Sources Standards, and may be characterized as construction-related or single-event exceptions.

The City requires application for a construction-related exception to be made on a minor exception form. The form must be submitted in writing at least 3 working days (72 hours) in advance of the scheduled and permitted activity and must be accompanied by the appropriate inspection fee(s). The application is subject to approval by the City Manager or his/her designated representative. No public hearing is required.

EXISTING CONDITIONS

Stationary Sources

The project area is located in an urbanized area. The primary sources of stationary noise in the project vicinity are urban-related activities (i.e., mechanical equipment, residential/retail areas, parking areas, and pedestrians). The noise associated with these sources may represent a single-event noise occurrence or short-term or long-term/continuous noise.

Mobile Sources

The majority of the existing mobile source noise in the project area is generated from vehicle sources along Pechanga Parkway.

Noise Measurements

In order to quantify existing ambient noise levels in the project area (in the vicinity of the project site), two noise measurements were taken on March 22, 2016; refer to Table 3.12-2, *Noise Measurements*. The noise measurement sites were representative of typical existing noise exposure within and immediately adjacent to the project site. Ten-minute measurements were taken, between 11:10 a.m. and 11:24 a.m. Short-term (L_{eq}) measurements are considered representative of the noise levels throughout the day.

Table 3.12-2. Noise Measurements

Site No.	Location	L_{eq} (dBA)	L_{min} (dBA)	L_{max} (dBA)	Peak (dBA)	Time
1	Along Pechanga Parkway, toward the southern end of the project site	71.4	50.5	79.7	94.7	11:10 a.m.
2	Along Pechanga Parkway, toward the northern end of the project site	72.5	65.6	77.7	99.9	11:24 a.m.
Source: Michael Baker International 2016c						

- *Measurement Site 1* was located along Pechanga Parkway, toward the southern end of the project site. Sources of peak noise included traffic on Pechanga Parkway. The noise level monitored at Site 1 was 71.4 dBA L_{eq}.
- *Measurement Site 2* was located along Pechanga Parkway, toward the northern end of the project site. Sources of peak noise included traffic on Pechanga Parkway. The noise level monitored at Site 2 was 72.5 dBA L_{eq}.

Meteorological conditions were sunny and clear skies, warm temperatures, with light wind speeds (0 to 5 miles per hour) and low humidity. Noise monitoring equipment used for the ambient noise survey consisted of a Brüel & Kjær Hand-held Analyzer Type 2250 equipped with a Type 4189 pre-polarized microphone. The monitoring equipment complies with applicable requirements of the American National Standards Institute (ANSI) for sound level meters. The results of the field measurements are included in Appendix G, *Noise Data*.

SENSITIVE RECEPTORS

Certain land uses are particularly sensitive to noise, including schools, hospitals, rest homes, long-term medical and mental care facilities, and parks and recreation areas. Residential areas are also considered noise sensitive, especially during the nighttime hours. Existing sensitive receptors located in the project vicinity include residential uses located approximately 160 feet to the southwest of the project site.

Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? ***Determination: Less Than Significant Impact with Mitigation Incorporated****.*

It is difficult to specify noise levels that are generally acceptable to everyone; noise that is considered a nuisance to one person may be unnoticed by another. Standards may be based on documented complaints in response to documented noise levels or based on studies of the ability of people to sleep, talk, or work under various noise conditions. However, all such studies recognize that individual responses vary considerably. Standards usually address the needs of the majority of the general population.

SHORT-TERM CONSTRUCTION

Construction activities generally are temporary and have a short duration, resulting in periodic increases in the ambient noise environment. Groundborne noise and other types of construction-related noise impacts would typically occur during the initial construction phases. These phases of construction have the potential to create the highest levels of noise. Typical noise levels generated by construction equipment are shown in Table 3.12-3, *Maximum Noise Levels Generated by Construction Equipment*. It should be noted that the noise levels identified in Table 3.12-3 are maximum sound levels (L_{max}), which are the highest individual sound occurring at an individual time period. Operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Other primary sources of acoustical disturbance would be due to random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts).

Table 3.12-3. Maximum Noise Levels Generated by Construction Equipment

Type of Equipment	Acoustical Use Factor[1]	L_{max} at 50 Feet (dBA)
Concrete Saw	20	90
Crane	16	81
Concrete Mixer Truck	40	79
Backhoe	40	78
Dozer	40	82
Excavator	40	81
Forklift	40	78
Paver	50	77
Roller	20	80
Tractor	40	84
Water Truck	40	80
Grader	40	85
General Industrial Equipment	50	85

Note:
Acoustical use factor (percent): Estimates the fraction of time each piece of construction equipment is operating at full power (i.e., its loudest condition) during a construction operation.

Source: Federal Highway Administration 2006

Due to the variability of construction activities and equipment for the project, overall construction noise levels would fluctuate over time. Noise source control is the most effective method of controlling construction noise. Source controls, which limit noise, are the easiest to oversee on a construction project. Attenuation at the source reduces the problem everywhere, not just along one single path or for one receiver. With implementation of Mitigation Measure NOI-1, which includes best practices for reducing construction noise, construction-related noise levels would be reduced to a less than significant level.

Construction activities would also cause increased noise along access routes to and from the site from the movement of equipment and workers. As such, some noise from soil hauling trips would occur along Pechanga Parkway. However, due to the short-term nature of construction activities and construction being limited to daytime hours, as well as implementation of Mitigation Measure NOI-1, noise impacts from vehicles accessing the project site would be less than significant.

Pursuant to the Temecula Municipal Code, all construction activities may only occur between the hours of 7:00 a.m. and 6:30 p.m., Monday through Saturday. No construction activity is allowed on Sundays. Additionally, construction activities are prohibited on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day; refer to Mitigation Measure NOI-1. These permitted hours of construction are required in recognition that construction activities undertaken during daytime hours are a typical part of living in an urban environment and do not cause a significant disruption. As noted above, implementation of Mitigation Measure NOI-1 would not only require compliance with the City's allowed hours of construction, but would also require construction equipment to be equipped with properly operating and maintained mufflers and other State-required noise attenuation devices. Implementation of Mitigation Measure NOI-1 would ensure construction noise is consistent with the levels in Table 3.12-3. Thus, with implementation of Mitigation Measure NOI-1, construction noise would be less than significant.

LONG-TERM OPERATIONAL IMPACTS

Off-Site Mobile Noise

Implementation of the proposed project would result in additional traffic on adjacent roadways, thereby increasing vehicular noise in the vicinity of existing and proposed land uses. According to the California Department of Transportation (Caltrans) (2013) *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, doubling of traffic on a roadway would result in an increase of 3 dB. The 1,700 daily trips generated by the project would be nominal compared to the vehicle capacity of Pechanga Parkway (a principal arterial roadway with an allowed traffic volume of 54,000 vehicles per day pursuant to the City's General Plan [Temecula 2005a]) and would not result in a perceptible increase in traffic noise levels. Therefore, a less than significant impact would occur in this regard.

Stationary Noise Impacts

As stated above, the project proposes a commercial restaurant facility. Noise that is typical of commercial areas includes mechanical equipment, slow-moving trucks, parking activities, outdoor patio areas, and pedestrian activity, all of which are typical of the surrounding commercial and residential area. Noise impacts to surrounding uses associated with implementation of the proposed project are anticipated to be less than significant.

- Mechanical Equipment. Typically, mechanical equipment noise is 55 dBA at 50 feet from the source. The nearest residential uses are located approximately 160 feet southwest of the project site. At this distance and height, potential noise from the project's heating, ventilation, and air conditioning (HVAC) unit would be less than 45 dBA. Therefore, the nearest residents would not be directly exposed to substantial noise from on-site mechanical equipment. Impacts in this regard would be less than significant.
- Slow-Moving Trucks (Deliveries). The proposed project includes a commercial restaurant that would necessitate occasional truck delivery operations. Typically, a medium two-axle truck used to make deliveries can generate a maximum noise level of 75 dBA at a distance of 50 feet. This level is representative of a truck operated by an experienced "reasonable" driver with typically applied accelerations. Higher noise levels may be generated by the excessive application of power. Lower levels may be achieved, but would not be considered representative of a nominal truck operation. Truck deliveries would generally consist of small trucks or vans and would not generate excessive noise levels over an extended period of time. Impacts resulting from truck delivery activities would be less than significant.
- Parking Areas. Traffic associated with parking lots is typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale such as the CNEL scale. However, the instantaneous maximum sound levels generated by a car door slamming, engine starting up, and car pass-bys may be an annoyance to adjacent noise-sensitive receptors. Estimates of the maximum noise levels associated with some parking lot activities are presented in Table 3.12-4, *Typical Noise Levels Generated by Parking Lots*. Conversations in parking areas may also be an annoyance to adjacent sensitive receptors. Sound levels of speech typically range from 33 dBA at 48 feet for normal speech to 50 dBA at 50 feet for very loud speech.

Table 3.12-4. Typical Noise Levels Generated by Parking Lots

Noise Source	Maximum Noise Levels at 50 Feet from Source
Car door slamming	63 dBA L_{eq}
Car starting	60 dBA L_{eq}
Car idling	61 dBA L_{eq}

It should be noted that parking lot noise are instantaneous noise levels compared to noise standards in the CNEL scale, which are averaged over time. As a result, actual noise levels over time resulting from parking lot activities would be far lower than the levels identified in Table 3.12-4. Parking lot noise would occur within the surface parking lot on-site. Parking lot noise would be partially masked by background noise from traffic along Pechanga Parkway. Noise associated with parking lot activities is not anticipated to exceed the City's Noise Standards or the California Land Use Compatibility Standards during operation. Therefore, noise impacts from parking lots would be less than significant.

- Outdoor Patio Areas. The proposed project includes two outdoor patio areas. Noise generated by groups of people (i.e., crowds) is dependent on several factors including vocal effort, impulsiveness, and the random orientation of the crowd members. Crowd noise is estimated at 60 dBA at 1 meter (3.28 feet) away for normal speaking. This noise level would have a +5 dBA adjustment for the impulsiveness of the noise source and a -3 dBA adjustment for the random orientation of the crowd members. Therefore, crowd noise would be approximately 62 dBA at 1 meter from the source. Noise has a decay rate due to distance attenuation, which is calculated based on the Inverse Square Law. Based on this law, sound levels decrease by 6 dBA for each doubling of distance from the source. As a result, outdoor patio noise would be 28.2 dBA at the closest residences, which are 160 feet away. Noise generated at the outdoor patio areas would also be masked by existing ambient noise along Pechanga Parkway (recorded existing noise levels along Pechanga Parkway are 71.4 dBA and 72.5 dBA; refer to Table 3.12-2). As such, the proposed outdoor patios on the project site would not introduce an intrusive noise source over existing conditions. Thus, a less than significant impact would occur in this regard.

MITIGATION MEASURES

NOI-1 Prior to grading permit issuance, the project applicant shall demonstrate, to the satisfaction of the Planning Director, that the project complies with the following:

- Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State-required noise attenuation devices.
- A sign, legible at a distance of 50 feet, shall also be posted at the project construction site. All notices and signs shall be reviewed and approved by the City of Temecula Planning Department prior to posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints.
- Construction haul routes shall be designed to avoid noise-sensitive uses (e.g., residences), to the extent feasible.

- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
- Construction activities shall not take place outside of the allowable hours specified by the City's Municipal Code Section 9.20.060(D) (between 7:00 a.m. and 6:30 p.m. Monday through Saturday; construction activities are not permitted on Sundays or national holidays).

b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?* ***Determination: Less Than Significant Impact.***

SHORT-TERM CONSTRUCTION

Project construction can generate varying degrees of groundborne vibration, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located in the vicinity of the construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels. Groundborne vibrations from construction activities rarely reach levels that damage structures.

The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 inch/second) appears to be conservative. The types of construction vibration impacts include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. The vibration produced by construction equipment is illustrated in Table 3.12-5, *Typical Vibration Levels for Construction Equipment*.

Table 3.12-5. Typical Vibration Levels for Construction Equipment

Equipment	Approximate Peak Particle Velocity at 25 Feet (inches/second)[1]	Approximate Peak Particle Velocity at 90 Feet (inches/second)[1]	Approximate Peak Particle Velocity at 160 Feet (inches/second)[1]
Large bulldozer	0.089	0.013	0.005
Loaded trucks	0.076	0.011	0.005
Small bulldozer	0.003	0.000	0.000
Jackhammer	0.035	0.005	0.002

Notes:
1. Calculated using the following formula:
PPV $_{equip}$ = PPV$_{ref}$ x $(25/D)^{1.5}$
where: PPV (equip) = the peak particle velocity in inch per second of the equipment adjusted for the distance
PPV (ref) = the reference vibration level in inch per second from Table 12-2 of the FTA *Transit Noise and Vibration Impact Assessment Guidelines*
D = the distance from the equipment to the receiver

Source: Federal Transit Administration 2006, Table 12-2

The nearest structures to the project site include a convenience store approximately 90 feet to the southeast and the residences located approximately 160 feet to the southwest.

Groundborne vibration decreases rapidly with distance. As indicated in Table 3.12-5, based on the Federal Transit Administration (FTA) data, vibration velocities from typical heavy construction equipment operation that would be used during project construction range from 0.003 to 0.089 inch-per-second peak particle velocity (PPV) at 25 feet from the source of activity and would range from 0.000 to 0.005 inch-per-second PPV at 160 feet. With regard to the proposed project, groundborne vibration would be generated primarily during grading activities on-site and by off-site haul-truck travel. As the nearest residences are located 160 feet south of the project site, the proposed construction activities would not be capable of exceeding the 0.2 inch-per-second PPV significance threshold for vibration. Therefore, vibration impacts would be less than significant.

LONG-TERM OPERATIONAL IMPACTS

The project proposes a commercial restaurant that would not generate groundborne vibration that could be felt at surrounding uses. The proposed project would not involve railroads or substantial heavy truck operations, and therefore it would not result in vibration impacts at surrounding uses. Less than significant impacts would occur in this regard.

c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?* ***Determination: Less Than Significant Impact.***

Refer to Impact 3.12(a). Less than significant impacts would occur in this regard.

d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?* ***Determination: Less Than Significant Impact****.*

Refer to Impact 3.12(a). Less than significant impacts would occur in this regard.

e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, exposure of people residing or working in the project area to excessive noise levels?* ***Determination: No Impact.***

The nearest airport to the project site is the Billy Joe Airport (private), located approximately 3.8 miles northeast of the project site. The nearest public airport to the project site is the French Valley Airport, located approximately 7 miles north of the project site. The proposed project is not located within an airport land use plan. Further, there is no public airport, public use airport, or private airstrip located within 2 miles of the project site. Therefore, no impacts would occur in this regard.

f) *For a project within the vicinity of a private airstrip, exposure of people residing or working in the project area to excessive noise levels?* ***Determination: No Impact.***

Refer to Impact 3.12(e). No impacts would occur in this regard.

3.13 POPULATION AND HOUSING

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
13. POPULATION AND HOUSING – Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☑	☐
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑

Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? ***Determination: Less Than Significant Impact****.*

Population growth in Temecula has continuously been on the rise since 2010 with an 11.8 percent increase in population between April 1, 2010 to July 1, 2015 (United States Census Bureau, 2016). The project would not induce population growth through the introduction of housing because no housing is associated with the development. In some cases, direct population growth can be created through the introduction of a new business; however, direct population growth associated with the project is not forecast to occur because the project would not be a large enough employer to directly induce growth, and most of the jobs created are forecast to be occupied by local residents. Additionally, the project would not involve any infrastructure improvements that would induce growth. Therefore, the project would not substantially induce population growth. Impacts would be less than significant.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? ***Determination: No Impact****.*

No housing units would be displaced as a result of project construction. The project is limited to the existing vacant parcel and as such would not displace any housing units or require the construction of additional housing units. Therefore, no impacts would occur.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? ***Determination: No Impact****.*

Refer to Impact 3.13(b), above. No residences or people would be displaced as a result of the project. No impacts would occur in this regard.

3.14 PUBLIC SERVICES

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
14. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☑	☐
Police protection?	☐	☐	☑	☐
Schools?	☐	☐	☐	☑
Parks?	☐	☐	☑	☐
Other public facilities?	☐	☐	☐	☑

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

1) Fire protection? ***Determination: Less Than Significant Impact.***

Riverside County Fire Department Station 84 provides fire protection services to the general Temecula area where the project site is located. The nearest County fire station site is located at 30650 Pauba Road, Temecula, approximately 2.7 miles northeast. The project does not involve a land use that would require a substantial increase in fire protection and would not directly or indirectly induce significant population growth (refer to Impact 3.13(a)). The project would not result in the need for additional new or altered fire protection services and would not alter acceptable service ratios or response times. Project implementation would not create the need for the development of additional fire facilities. Further, the project would be subject to compliance with TMC Chapter 15.06, *Public Facilities Development Impact Fee*, which requires payment of public facility development impact fees for fire protection services, among other public services and facilities, to address the Project's increased demands. Therefore, less than significant impacts would occur.

2) Police protection? ***Determination: Less Than Significant Impact.***

The proposed project would not directly or indirectly induce significant population growth, as identified in Impact 3.13(a). The project would not result in the need for additional new or altered police protection services and would not alter acceptable service ratios or response times. Also, project implementation would not create the need for the

development of additional police facilities. Further, the project would be subject to compliance with TMC Chapter 15.06, *Public Facilities Development Impact Fee*, which requires payment of public facility development impact fees for police protection services, among other public services and facilities, to address the Project's increased demands. Therefore, less than significant impacts to police protection services would occur with implementation of the proposed project.

3) *Schools?* ***Determination: No Impact.***

The proposed project does not involve a land use that would directly or indirectly induce significant population growth, as identified in Impact 3.13(a). Therefore, the project would not generate additional students at local schools. Pursuant to Government Code Section 65995, payment of the developer fees would provide full and complete mitigation of the project's impacts on school facilities. No impacts would occur in this regard.

4) *Parks?* ***Determination: Less Than Significant Impact.***

Due to the nature of the project, no new residents would be generated that would be likely to impact or create a need for additional local parks or other public facilities. However, it is possible that new employees may occasional use public parks or facilities between shifts. Such use is likely to be negligible compared to existing conditions. Therefore, impacts would be less than significant.

5) *Other public facilities?* ***Determination: No Impact****.*

The proposed project would not induce population growth either directly or indirectly and therefore would not create significant impacts to other public facilities. No impacts would occur in this regard.

3.15 RECREATION

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
15. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☑	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☑

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ***Determination: Less Than Significant Impact****.*

Refer to Impact 3.14(a)(4). The proposed project consists of the development of a restaurant and as such would not induce population growth or increase the use of local park facilities. As such, implementation of the proposed project does not involve a land use that would increase the use of local or regional park facilities such that deterioration of these facilities would occur. As such, the project would have a less than significant impact to the local and regional parks system.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? ***Determination: No Impact.***

Refer to Impact 3.14(a)(4). The proposed project does not include recreational facilities, nor does it require the construction or expansion of recreational facilities. No impacts would occur in this regard.

3.16 TRANSPORTATION/TRAFFIC

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
16. TRANSPORTATION/TRAFFIC – Would the project:				
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☑	☐	☐
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads and highways?	☐	☐	☑	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☑
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☑
e) Result in inadequate emergency access?	☐	☑	☐	☐
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☑	☐

Would the project:

a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? ***Determination: Less Than Significant with Mitigation Incorporated****.*

The new restaurant would contribute traffic to the existing circulation system, including truck trips associated with deliveries, as well as employee trips. The City of Temecula anticipated a traffic increase in the project area, as an increase in traffic volumes was considered in the City's Planned Development Overlay-1 (PDO-1) (Temecula, n.d.). The project's impacts on the existing circulation system would not be significant. Additionally, there are no greenways or mass transit facilities associated with the project; thus, the project would have no impact on these types of

transportation facilities. However, Pechanga Parkway is designated as a Class II bicycle path and a multi-use trail, and construction could impact bicycle traffic temporarily (Temecula 2005a).

During project construction, the contractor would be required to implement any traffic control measures necessary to access the site to maintain unobstructed traffic flow during construction and would be required to obtain any required encroachment permits for transporting heavy equipment and the staging of any materials/equipment as needed. Other construction traffic would consist of delivery trucks and worker transportation. Delivery and parking of vehicles would be coordinated to minimize impacts to local traffic. This temporary added traffic would be minor and not conflict with applicable plans, ordinances, or policies related to performance of the circulation system, and impacts are considered to be less than significant.

The implementation of mitigation warning motorists, bicyclists, or pedestrians of potential dangers would reduce impacts to a less than significant level. A Traffic Management Plan (TMP) would be prepared by a Registered Civil Engineer and be subject to the City's approval the prior to project construction. With the implementation of Mitigation Measure TRF-1, less than significant impacts would occur.

The project's long-term operation does not include new uses that would substantially increase the existing traffic load. Therefore, the project would not result in significant operational impacts relative to the local and regional circulation system.

MITIGATION MEASURES

TRF-1 Short-term mitigation for temporary impacts to local roadways shall be mitigated by a Traffic Management Plan (TMP) to be approved by the City of Temecula Traffic Engineer prior to any trenching in public streets for pipelines. The TMP shall consist of prior notices, adequate sign posting, detours (if needed), phased construction, and temporary driveways where necessary. The TMP shall specify implementation timing of each plan element (prior notices, sign posting, detours, etc.). Adequate access to and from residential areas shall be provided at all times. Proper detours and warning signs shall be established to ensure public safety. The TMP shall be devised so that construction shall not interfere with any emergency response or evacuation plans. Construction activities shall proceed in a timely manner in an effort to reduce impacts.

b) *Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads and highways?* ***Determination: Less Than Significant Impact****.*

Refer to Impact 3.16(a), above. The Riverside County Transportation Commission (2011) has designated, based on a set of criteria referenced in Chapter 2 of the Riverside County Congestion Management Program (CMP), a system of highways and principal arterials. All State highways in Riverside County have been designated in accordance with CMP statutes, along with a set of principal arterials. The project site would not contribute traffic to any of the identified CMP facilities, and the project would neither temporarily nor permanently affect a CMP facility (reference Exhibit 2-1 and Table 2-1) of the Riverside County CMP reference manual.

Additionally, while the project may impede traffic flow on Pechanga Parkway during the construction phase, the project would not conflict with the City of Temecula Congestion Management Program. As such, less than significant impacts would occur with respect to Pechanga Parkway and Temecula Parkway.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? ***Determination: No Impact.***

French Valley Airport is a general aviation airport owned and operated by the County of Riverside. The proposed project site is located approximately 6.5 miles southwest of French Valley Airport and is not located within the compatibility zones identified in the Riverside County Airport Land Use Compatibility Plan. The Billy Joe Airport is located approximately 3.8 miles northeast of the project site, and the Blackwater Heliport is located over 5 miles to the east of the project site. Additionally, the building height identified in Section 2.4, *Project Characteristics*, would in no way result in a change to air traffic patterns. Therefore, no impact would occur.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ***Determination: No Impact****.*

The project does not involve any unusual conditions or hazardous design features, such as sharp curves or dangerous intersections, or incompatible uses. No impact would occur.

e) Result in inadequate emergency access? ***Determination: Less Than Significant with Mitigation Incorporated.***

Direct access to the project site is provided via Pechanga Parkway, and there are no complexities with respect to the internal circulation system. The project is located in proximity to I-15 and Temecula Valley Hospital, making emergency egress and ingress fairly easy. Additionally, the project would be required to prepare a Traffic Management Plan (TMP) to the satisfaction of the City's Traffic Engineer as described in Mitigation Measure TRF-1, which would maintain emergency access via Pechanga Parkway during project construction. Therefore, impacts related to emergency access impacts would be less than significant with mitigation.

MITIGATION MEASURES

TRF-1 Refer to Impact 3.15(a), above.

f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? ***Determination: Less Than Significant Impact****.*

According to the City of Temecula General Plan, Figure C-4, the proposed project would have the potential to temporarily conflict with a designated multi-use trail and a Class II bikeway system on Pechanga Parkway during the project's construction phase. The construction area will be appropriately signed to alert bicycle and vehicle traffic consistent with the Traffic Management Plan. However, no long-term impacts to these facilities would occur and impacts would be less than significant.

3.17 TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
5. TRIBAL CULTURAL RESOURCES – Would the project:				
Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?, or	☐	☑	☐	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☐	☑	☐

Would the project:

a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? ***Determination: Less Than Significant Impact with Mitigation Incorporated****.*

The construction activities proposed under the project have the potential to result in a significant impact to tribal cultural resources. California State Assembly Bill No. 52 (AB 52) amended CEQA by creating a new category of cultural resources, tribal cultural resources, and requires consultation with Native American Tribes. Governor Brown signed AB 52 on Sept 25, 2014, and the Bill became effective July 1, 2015. Pursuant to AB 52, lead agencies are required to consult with Native American tribes who request consultation for projects located within their traditional territory. AB 52 consultation is required for projects that have a Notice of Preparation, Notice of Negative Declaration, or Notice of Mitigated Negative Declaration on or after July 1, 2015. AB 52 consultation is ongoing throughout the processing of a project until mutual agreement can be reached. Consultation is considered concluded when: (1) all parties are in agreement; (2) acting in good faith and after reasonable effort, mutual agreement cannot be reached; or, (3) tribes are non-responsive.

The City has conducted consultation with relevant Native American tribes that responded to the request for consultation. However, only the Pechanga Band of Luiseño Indians indicated that known tribal cultural resources are within the project area of potential effect for the proposed project. The Pechanga Band of Luiseño Indians has shown that the project site is near a Traditional Cultural Property known as the Luiseño Ancestral Origin Landscape. This resource is listed in the California Register of Historic Places and National Register of Historic Places (NHRP); however, its location is restricted. Potential impacts within the boundaries of this Traditional Cultural Property could cause a substantial adverse change of a tribal cultural resource as defined in Public Resources Code Section 21074. As a result, communications with Pechanga officials will be necessary to determine whether the project activities would constitute a significant adverse change in the significance of a historical resource under CEQA; refer to Impact 3.5(a) in the Cultural Resources analysis section. In order to protect tribal cultural resources associated with the Luiseño Ancestral Origin Landscape, Mitigation Measures CUL-1 through CUL-8 are required. With implementation of Mitigation Measure CUL-1 through CUL-8, described under Impact 3.5(a), the project's potential impacts to the Luiseño Ancestral Origin Landscape and tribal cultural resources would be less than significant.

MITIGATION MEASURES

CUL-1 Refer to Impact 3.5(a), above.

CUL-2 Refer to Impact 3.5(a), above.

CUL-3 Refer to Impact 3.5(a), above.

CUL-4 Refer to Impact 3.5(a), above.

CUL-5 Refer to Impact 3.5(a), above.

CUL-6 Refer to Impact 3.5(a), above.

CUL-7 Refer to Impact 3.5(a), above.

CUL-8 Refer to Impact 3.5(a), above.

b) *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?* **Determination: Less Than Significant Impact with Mitigation Incorporated**.

The construction activities proposed under the project have the potential to result in a significant impact to tribal cultural resources. The Pechanga Band of Luiseño Indians has shown that the project site is adjacent to a Traditional Cultural Property known as the Luiseño Ancestral Origin Landscape, a tribal cultural resource defined under Public Resources Code section 21074. This resource is also listed in the California Register of Historic Resources and NHRP; however, its location is restricted. Mitigation Measures CUL-1 through CUL-8 require monitoring by a qualified archaeologist, in addition to requiring a Pechanga Tribal monitor for all ground-disturbing activities associated with the construction of the project. Such requirements would ensure that any additional tribal cultural resources discovered would be properly evaluated for significance and avoided and/or otherwise preserved, as appropriate, in

perpetuity. The project's potential impacts to the Luiseño Ancestral Origin Landscape and tribal cultural resources would therefore be reduced to less than significant.

MITIGATION MEASURES

CUL-1 Refer to Impact 3.5(a), above.

CUL-2 Refer to Impact 3.5(a), above.

CUL-3 Refer to Impact 3.5(a), above.

CUL-4 Refer to Impact 3.5(a), above.

CUL-5 Refer to Impact 3.5(a), above.

CUL-6 Refer to Impact 3.5(a), above.

CUL-7 Refer to Impact 3.5(a), above.

CUL-8 Refer to Impact 3.5(a), above.

3.18 UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
17. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☑	☐	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☑	☐
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☑	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☑	☐
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☑	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☑	☐
g) Comply with federal, State, and local statutes and regulations related to solid waste?	☐	☐	☑	☐

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? ***Determination: Less Than Significant Impact with Mitigation Incorporated.***

Surface runoff from the project is also addressed in Impacts 3.9(a), 3.9(c), 3.9(e), and 3.9(f) in Section 3.9, *Hydrology and Water Quality*, of this Initial Study. The proposed project would not exceed the wastewater treatment requirements of the Regional Water Quality Control Board. The project would also be required to obtain coverage for construction activities under the State General Construction NPDES Permit. The project would adhere to the mandatory NPDES permit conditions, including the preparation and implementation of a stormwater pollution prevention plan (SWPPP); refer to Mitigation Measure GEO-1. With implementation of Mitigation Measure GEO-1, as well as the regulatory permits identified above, project construction would have a less than significant impact with respect to water quality standards and waste discharge requirements.

MITIGATION MEASURES

GEO-1 Refer to Impact 3.6(b).

b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* ***Determination: Less Than Significant Impact.***

Water would be provided to the project by RCWD and served by a direct connection to the water line. The project is not considered a "water demand project" under CEQA Guidelines Section 15155; however, the project applicant would be required to obtain a "will-serve" letter from the district prior to construction of the proposed project. A wastewater connection would be provided by Eastern Municipal Water District (EMWD). The development of a single restaurant facility is not anticipated to cause significant water supply or wastewater treatment capacity issues because of the project's relatively small size. The City's General Plan EIR indicates that the sewer collection system contains adequate capacity to handle foreseeable future development. EMWD serves the project site for sewer service. The district must comply with the wastewater treatment regulations and requirements of the Regional Water Quality Control Board. Because of the Regional Board compliance requirements, wastewater treatment requirements are not anticipated to be exceeded. Therefore, less than significant impacts would occur.

c) *Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* ***Determination: Less Than Significant Impact.***

Refer to Impact 3.17(a), above. The project proposes a number of on-site water retention basins that would minimize peak storm flows and would reduce impacts to the existing City drainage system; refer to Exhibit 4. Due to the proposed on-site drainage facilities, limited site footprint, and existing drainage facilities, impacts would be less than significant.

d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?* ***Determination: Less Than Significant Impact****.*

The Rancho California Water District (RCWD) supplies most of the domestic and commercial water to Temecula, paid for by user fees. Water to supply the city is drawn from the Murrieta-Temecula groundwater basin and supplemented with imported water from the Metropolitan Water District (MWD). Table ES-4 (RCWD Current and Projected Water Supply and Demand) of RCWD's (2011) 2010 Urban Water Management Plan anticipates that the district's water supplies will exceed water demands for normal, single dry, and multiple dry years until 2035. Due to the proposed project's limited size, minimal changes in water supply requirements would occur. The project is not considered a "water demand project" under CEQA Guidelines Section 15155; however, the project applicant would be required to obtain a "will-serve" letter from the RCWD prior to construction of the proposed project. Furthermore, the proposed project is consistent with the General Plan land use designation and as such has been analyzed in citywide water projections. Therefore, impacts to water supply as a result of project consumption would be less than significant. Impacts would be less than significant.

e) *Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?* ***Determination: Less Than Significant Impact.***

Refer to Impact 3.17(b), above. Project implementation would have a minimal impact with respect to wastewater treatment capacity. The proposed project does not involve a land use that would substantially increase wastewater treatment demand beyond that anticipated in the *City of Temecula General Plan* or PDO-1. A less than significant impact would occur.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? ***Determination: Less Than Significant Impact.***

The project site is currently vacant, and minimal demolition work will occur. Nonetheless, solid waste produced during demolition would create 20 tons of broken concrete and 40 cubic yards of green waste. According to the City of Temecula General Plan EIR, solid waste collected in the city is transported to the El Sobrante Landfill, which is anticipated to remain operational until 2045. As of 2009, the landfill had approximately 80 percent of its 185,000,000-ton capacity remaining. As currently proposed, the project's generation of solid waste related to demolition and grading would be temporary, lasting approximately 21 days. In accordance with federal and State laws, solid waste generated during project construction and operation would be disposed of at a properly permitted facility located about 50 miles (round trip) from the project site. Once operational, the project would generate nontoxic waste, consistent with standard restaurant operations. Operational impacts would be less than significant in this regard. Furthermore, the project would be required to comply with adopted programs and federal, State, and local regulations pertaining to solid waste. Therefore, less than significant impacts would occur.

g) Comply with federal, State, and local statutes and regulations related to solid waste? ***Determination: Less Than Significant Impact.***

Refer to Response 3.17(f), above. The project would be required to comply with adopted programs and federal, State, and local regulations pertaining to solid waste. Therefore, less than significant impacts would occur.

3.19 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
18. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☑	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☑	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☑	☐	☐

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? ***Determination: Less Than Significant with Mitigation Incorporated.***

The proposed project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Potential impacts to wildlife, particularly avian species, would be reduced to a less than significant level through the proposed mitigation measures; refer to Section 3.4, *Biological Resources*. As such, potential impacts as noted above would be mitigated through the implementation of standard City-approved measures and the recommended mitigation measures as identified above.

b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?* ***Determination: Less Than Significant with Mitigation Incorporated.***

The proposed project would not have impacts that are individually limited, but cumulatively considerable. Given the project's relatively small scale, the disturbed nature of the project site, the temporary nature of construction activities, and the mitigatable long-term operational impacts, project-related cumulative impacts are not considered significant.

c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?* ***Determination: Less Than Significant with Mitigation Incorporated.***

The proposed project would not result in environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly, following implementation of recommended mitigation measures. Construction and operational activities are anticipated to have some minor impacts, all of which have been mitigated where appropriate. All potential long-term impacts would be reduced to less than significant levels through implementation of required mitigation measures, as described in the impact discussions above.

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4.0 REFERENCES

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4.2 REFERENCE DOCUMENTS

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4.3 INVENTORY OF MITIGATION MEASURES

AESTHETICS

AES-1 Prior to construction, the City shall define the temporary construction equipment staging areas to be used within the project site. Materials, heavy-duty equipment, and debris piles shall be clustered in order to minimize visual impacts during construction and will be located as far away from the MSHCP Conservation Area as possible to the maximum extent feasible.

AIR QUALITY

AQ-1 Prior to the issuance of any grading permit, the City Engineer shall confirm that the grading plan and project specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions will be controlled by regular watering or other dust prevention measures, as specified in the SCAQMD's rules and regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:

- Pave or apply water every three hours during daily construction activities or apply nontoxic soil stabilizers on all unpaved access roads, parking areas, and staging areas. More frequent watering shall occur if dust is observed migrating from the site during site disturbance.
- Any on-site stockpiles of debris, dirt, or other dusty material shall be enclosed, covered, or watered twice daily, or nontoxic soil binders shall be applied.
- All grading and excavation operations shall be suspended when wind speeds exceed 25 miles per hour.
- Disturbed areas shall be replaced with ground cover or paved immediately after construction is completed in the affected area.
- Track-out devices such as gravel bed track-out aprons (3 inches deep, 25 feet long, 12 feet wide per lane and edged by a rock berm or row of stakes) shall be installed to reduce mud/dirt track-out from unpaved truck exit routes. Alternatively, a wheel washer shall be used at truck exit routes.
- On-site vehicle speed shall be limited to 15 miles per hour.
- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site.
- Trucks associated with soil-hauling activities shall avoid residential streets and utilize City-designated truck routes to the extent feasible.

BIOLOGICAL RESOURCES

BIO-1 Pursuant to the MSHCP Urban/Wildlands Interface Guidelines, the following design guidelines shall be incorporated into the project:

1. The project's stormwater will be directed to a stormwater basin on the project site. The basin will be designed in accordance with all federal, State, regional, and local standards and regulations concerning water quality.
2. The project shall ensure that the application of chemicals (cooking oils, pesticides, herbicides) does not result in discharge to the MSHCP Conservation Area. During

construction of the project, the contractor shall stage construction operations as far away from the MSHCP Conservation Area as possible to the maximum extent feasible.

3. The project shall use light sources designed with internal baffles to direct the lighting toward the ground and developed areas, and have a zero side angle cut off to the horizon. All lighting will be consistent with Riverside County's Light Pollution Ordinance (Ordinance No. 655).
4. No invasive plant species listed in Table 6.2 of the MSHCP will be included in the project's landscaping plant palette. Final landscape plans will be reviewed and verified by the Western Riverside County Regional Conservation Authority for consistency with the plant species list in Table 6.2 of the MSHCP.
5. The project shall include barriers to restrict direct access to the MSHCP Conservation Area from the project site by unauthorized public access or domestic animals. Consistent with the MSHCP, suitable barriers include native landscaping, rocks/boulders, fencing, walls, signage, and/or other appropriate mechanisms. The barriers shall be placed within the boundaries of the development and will be outside of the confines of the open space/MSHCP Conservation Area.
6. Manufactured slopes associated with site development shall not extend into the MSHCP Conservation Area.

BIO-2 Where feasible, construction shall occur outside of the avian breeding season (generally January 1–August 30). If construction occurs during the avian breeding season, a qualified biologist shall conduct a preconstruction nesting bird clearance survey in all work areas and all areas within 500 feet of the general construction zone. This survey shall occur no more than one week prior to construction. Active nests shall be given an avoidance buffer, typically 300 feet for non-listed, non-raptor species and 500 feet for listed and raptor species. This buffer shall remain in place until the young fledge or the nest otherwise becomes inactive, and may be reduced with approval from the US Fish and Wildlife Service and/or the California Department of Fish and Wildlife. The buffer is a no-work zone, and construction activities may not resume until the nest is no longer active (i.e., avian species are no longer showing nesting behavior, young have fledged) and may be reduced with approval from the U.S. Fish and Wildlife Service and/or the California Department of Fish and Wildlife. To determine when nesting behaviors are finished, a qualified biologist shall monitor the nest weekly until the young have fledged and the nest is no longer active.

BIO-3 Within the 30 days prior to any ground-disturbing construction activities on the project site, a qualified biologist shall conduct focused surveys for burrowing owl and least Bell's vireo. For burrowing owl, surveys should be completed in areas of suitable habitat on and within 250 feet of the project. For least Bell's vireo, surveys shall be conducted in the riparian area of the project site as well as within 500 feet of the project site along Temecula Creek.

CULTURAL RESOURCES

CUL-1 A professional archaeological monitor shall be present to monitor all ground-disturbing activities associated with the project. The archaeological monitor shall work under the direct supervision of a Cultural Resource Professional that meets the Secretary of the Interior's Professional Qualification Standards for Archaeology (U.S. Department of Interior, 2012) and as approved by the City of Temecula to provide archaeological expertise in carrying out all mitigation measures related to archaeological resources (CUL-2, CUL-3 and CUL-5).

CUL-2 The qualified archeologist, or an archaeologist working under the direction of the qualified archaeologist, along with a representative designated by the Pechanga Tribe, shall conduct pre-construction cultural resources worker sensitivity training to inform construction personnel of the types of cultural resources that may be encountered, and to bring awareness to personnel of actions to be taken in the event of a cultural resources discovery. The City shall ensure that construction personnel are made available for and attend the training and shall retain documentation demonstrating attendance.

CUL-3 Prior to the start of ground-disturbing activities, the qualified archaeologist shall designate an archaeological monitor to observe ground-disturbing activities, including but not limited to, brush clearance and grubbing, grading, trenching, excavation, and the construction of fencing and access roads, in consultation with the Pechanga tribal monitor. If ground-disturbing activities occur simultaneously in two or more areas located more than 500 feet apart, additional archaeological monitors may be required. The archaeological monitor shall keep daily logs. After monitoring has been completed, the qualified archaeologist shall prepare a monitoring report that details the results of monitoring activities, which shall be submitted to the City, Pechanga Tribe, and to the EIC at the University of California, Riverside.

CUL-4 At least 30 days prior to the start of any ground disturbing activity, the City shall contact the Pechanga Tribe of grading, excavation and the monitoring program, and to coordinate with the Pechanga Tribe to develop a Cultural Resources Treatment and Monitoring Agreement (Agreement). The Agreement shall address the treatment of known cultural resources; the designation, responsibilities, and participation of Pechanga Tribal monitors during grading, excavation and all ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

The Pechanga Tribal monitor shall monitor observe ground-disturbing activities, including but not limited to, brush clearance and grubbing, grading, trenching, excavation, and the construction of fencing and access roads, in consultation with the archaeological monitor. If ground-disturbing activities occur simultaneously in two or more areas located more than 500 feet apart, additional archaeological monitors may be required. The Pechanga tribal monitor shall keep daily logs. If ground-disturbing activities occur simultaneously in two or more locations, additional Pechanga tribal monitors may be required.

CUL-5 If inadvertent discoveries of subsurface archaeological/cultural resources are made during ground-disturbing activities, the applicant, the qualified archaeologist, and the Pechanga Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. Pursuant to PRC Section 21083.2(b) avoidance is the preferred method of preservation for archaeological resources. PRC Section 21084.3 further requires that agencies shall avoid damaging effects to tribal cultural resources, if feasible. If the City, the qualified archaeologist, and the Pechanga Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the City Planning Director for decision. The City Planning Director shall make the determination based on the provisions of the CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Pechanga Tribe. Notwithstanding any other rights available under the law, the decision of the City Planning Director shall be appealable to the City Planning Commission and/or City Council.

CUL-6 The City shall relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are recovered as a result of project implementation to the Pechanga Tribe for proper treatment and disposition as outlined in the Agreement (Mitigation Measure CUL-4).

CUL-7 All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.

CUL-8 Consistent with State CEQA Guidelines Section 15064.5, Subdivision (e), in the event of an accidental discovery or recognition of any human remains, the County Coroner shall be notified and construction activities at the affected work site shall be halted. Further, pursuant to PRC Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the remains are found to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. The NAHC must immediately notify the most likely descendant(s) under Public Resources Code Section 5097.98, and the descendants must make recommendations or state their preference for treatment within 48 hours of being granted access as identified in Agreement described in Mitigation Measure CUL-4.

GEOLOGY AND SOILS

GEO-1 In accordance with National Pollutant Discharge Elimination System (NPDES) requirements, the project applicant shall prepare a stormwater pollution prevention plan (SWPPP) for approval by the City prior to grading activities. The SWPPP will include relevant best management practices (BMPs) in order to minimize soil erosion and water quality impacts during project construction.

NOISE

NOI-1 Prior to grading permit issuance, the project applicant shall demonstrate, to the satisfaction of the Planning Director that the project complies with the following:

- Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State-required noise attenuation devices.
- Property owners and occupants located within 200 feet of the project boundary shall be sent a notice, at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the proposed project. A sign, legible at a distance of 50 feet, shall also be posted at the project construction site. All notices and signs shall be reviewed and approved by the City of Temecula Planning Department, prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints.
- Construction haul routes shall be designed to avoid noise-sensitive uses (e.g., residences), to the extent feasible.
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
- Construction activities shall not take place outside of the allowable hours specified by the City's Municipal Code Section 9.20.060(D) (between 7:00 a.m. and 6:30 p.m. Monday through Saturday; construction activities are not permitted on Sundays or national holidays).

HYDROLOGY AND WATER QUALITY

GEO-1 Refer to Impact 3.6(b).

TRANSPORTATION AND CIRCULATION

TRF-1 Short-term mitigation for temporary impacts to local roadways shall be mitigated by a Traffic Management Plan (TMP) to be approved by the City of Temecula Traffic Engineer prior to any trenching in public streets for pipelines. The TMP shall consist of prior notices, adequate sign posting, detours (if needed), phased construction, and temporary driveways where necessary. The TMP shall specify implementation timing of each plan element (prior notices, sign posting, detours, etc.). Adequate access to and from residential areas shall be provided at all times. Proper detours and warning signs shall be established to ensure public safety. The TMP shall be devised so that construction shall not interfere with any emergency response or evacuation plans. Construction activities shall proceed in a timely manner in an effort to reduce impacts.

TRIBAL CULTURAL RESOURCES

CUL-1 Refer to Impact 3.5(a), above.

CUL-2 Refer to Impact 3.5(a), above.

CUL-3 Refer to Impact 3.5(a), above.

CUL-4 Refer to Impact 3.5(a), above.

CUL-5 Refer to Impact 3.5(a), above.

CUL-6 Refer to Impact 3.5(a), above.

CUL-7 Refer to Impact 3.5(a), above.

CUL-8 Refer to Impact 3.5(a), above.

UTILITIES AND SERVICE SYSTEMS

GEO-1 Refer to Impact 3.6(b).

5.0 CONSULTANT RECOMMENDATION

Based on the information and environmental analysis contained in the Initial Study/Mitigated Negative Declaration, we recommend that the City of Temecula prepare a Mitigated Negative Declaration for the Art Gaitan's Mexico Café Development Plan Project. Refer to Section 6.0, *Lead Agency Determination*.

4/25/2017

Darren Edgington, CEP-IT, LEED AP
Associate/Environmental Specialist
Michael Baker International

Date

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6.0 LEAD AGENCY DETERMINATION

On the basis of this initial evaluation:

I find that the proposed use COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. ☐

I find that although the proposal could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section 5.0 have been added. A MITIGATED NEGATIVE DECLARATION will be prepared. ☑

I find that the proposal MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. ☐

I find that the proposal MAY have a significant effect(s) on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. ☐

Signature — City of Temecula (Agency)

Brandon Rabidou/Assistant Planner (Printed Name/Title) — 4-25-17 (Date)

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